

EXHIBIT 'A'
ALL PROCESS, PLEADINGS AND ORDERS IN STATE
COURT CASE

E-FILED IN OFFICE - JT
CLERK OF STATE COURT
GWINNETT COUNTY, GEORGIA
23-C-00759-S5
2/2/2023 5:10 PM
TIANA P. GARNER, CLERK

General Civil and Domestic Relations Case Filing Information Form

☐ Superior or ☒ State Court of Gwinnett State Court County

For Clerk Use Only

23-C-00759-S5

Date Filed _____
MM-DD-YYYY

Case Number _____

Plaintiff(s)

Timpson, Brandy P

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Defendant(s)

Sentry Select Insurance Company

Last	First	Middle I.	Suffix	Prefix
Timothy B. Estes d/b/a E & E Transport				

Last	First	Middle I.	Suffix	Prefix
Estes, Timothy B				

Last	First	Middle I.	Suffix	Prefix
State Farm Mutual Automobile Insurance Company				

Last	First	Middle I.	Suffix	Prefix

Plaintiff's Attorney Terry D. Jackson State Bar Number 386033 Self-Represented ☐

Check one case type and one sub-type in the same box (if a sub-type applies):

General Civil Cases

- ☒ Automobile Tort
☐ Civil Appeal
☐ Contempt/Modification/Other Post-Judgment
☐ Contract
☐ Garnishment
☐ General Tort
☐ Habeas Corpus
☐ Injunction/Mandamus/Other Writ
☐ Landlord/Tenant
☐ Medical Malpractice Tort
☐ Product Liability Tort
☐ Real Property
☐ Restraining Petition
☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
☐ Contempt
☐ Non-payment of child support, medical support, or alimony
☐ Dissolution/Divorce/Separate Maintenance/Alimony
☐ Family Violence Petition
☐ Modification
☐ Custody/Parenting Time/Visitation
☐ Paternity/Legitimation
☐ Support – IV-D
☐ Support – Private (non-IV-D)
☐ Other Domestic Relations

- ☐ Check if the action is related to another action pending or previously pending in this court involving some or all of the same: parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number _____

Case Number _____

- ☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in OCGA § 9-11-7.1.

- ☐ Is a foreign language or sign-language interpreter needed in this case? If so, provide the language(s) required.

Language(s) Required _____

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.

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CLERK OF STATE COURT
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23-C-00759-S5
2/2/2023 5:10 PM
TIANA P. GARNER, CLERK

IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

Brandy Patrice Timpson

CIVIL ACTION 23-C-00759-S5
NUMBER: _____

PLAINTIFF

VS.

Sentry Select Insurance Company,

Timothy B. Estes d/b/a E & E Transport, &

Timothy B. Estes

DEFENDANT

Timothy B. Estes
595 Cricklewood Drive
Lexington, KY 40505

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Terry D. Jackson, P.C.
600 Edgewood Avenue
Atlanta, GA 30312

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.
3rd day of February, 2023

This _____ day of _____, 20____.

Tiana P. Garner
Clerk of State Court

By _____

Julie A. Thomas
Deputy Clerk

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used. .

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TIANA P. GARNER, CLERK

IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

Brandy Patrice Timpson

23-C-00759-S5

CIVIL ACTION

NUMBER: _____

PLAINTIFF

VS.

Sentry Select Insurance Company,

Timothy B. Estes d/b/a E & E Transport, &

Timothy B. Estes

DEFENDANT

Timothy B. Estes d/b/a E & E Transport
595 Cricklewood Drive
Lexington, KY 40505

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Terry D. Jackson, P.C.
600 Edgewood Avenue
Atlanta, GA 30312

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

3rd day of February, 2023

This _____ day of _____, 20____.

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Clerk of State Court

By _____

Julie A. Thomas
Deputy Clerk

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IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

Brandy Patrice Timpson

CIVIL ACTION 23-C-00759-S5
NUMBER: _____

PLAINTIFF

VS.

Sentry Select Insurance Company,

Timothy B. Estes d/b/a E & E Transport, &

Timothy B. Estes

DEFENDANT

State Farm Mutual Automobile Insurance Company
C/O Corporation Service Company, Registered Agent
2 Sun Court, Suite 400
Peachtree Corners, GA 30092

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

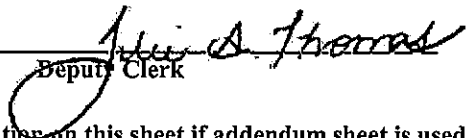
You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Terry D. Jackson, P.C.
600 Edgewood Avenue
Atlanta, GA 30312

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.
3rd day of February, 2023

This _____ day of _____, 20____.

Tiana P. Garner
Clerk of State Court

By  Deputy Clerk

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

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IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

Brandy Patrice Timpson

CIVIL ACTION 23-C-00759-S5
NUMBER: _____

PLAINTIFF

VS.

Sentry Select Insurance Company,

Timothy B. Estes d/b/a E & E Transport, &

Timothy B. Estes

DEFENDANT

Sentry Select Insurance Company
C/O C T Corporation System, Registered Agent
289 South Culver Street
Lawrenceville, GA 30046-4805

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

Terry D. Jackson, P.C.
600 Edgewood Avenue
Atlanta, GA 30312

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This _____ day of 3rd day of February, 2023, 20____.

Tiana P. Garner
Clerk of State Court

By _____


Deputy Clerk

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

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2/2/2023 5:10 PM
TIANA P. GARNER, CLERK

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

SENTRY SELECT INSURANCE)
COMPANY,)

a foreign motor carrier insurer,)

TIMOTHY B. ESTES D/B/A)

E & E TRANSPORT,)

a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)

and as an Agent and Employee of)

E & E TRANSPORT,)

&)

JOHN OR JANE DOE)

INDIVIDUALS &)

ENTITIES (1-3),)

Defendants.)

Civil Action No.
23-C-00759-S5

JURY TRIAL DEMANDED

COMPLAINT FOR DAMAGES

COMES NOW Plaintiff Brandy Patrice Simpson and shows the Court as
follows:

PARTIES, JURISDICTION AND VENUE

1. Plaintiff is a Georgia resident and is domiciled in Georgia in Newton County and all answers, pleadings, and discovery may be served on her counsel of record. Jurisdiction and venue are proper in this Court.

2. Defendant Sentry Select Insurance Company, (hereinafter "Sentry") is a foreign motor carrier insurer and it may be served with a copy of the complaint and summons on its registered agent as follows:

Sentry Select Insurance Company
C/O C T Corporation System, Registered Agent
289 South Culver Street
Lawrenceville, GA 30046-4805

Jurisdiction and venue are proper in this Court.

3. Defendant Sentry is a proper party to this case as provided by O.C.G.A. §§ 40-1-112(c) and or 40-2-140(d)(4), and venue is proper in this Court.

4. Defendant Timothy B. Estes d/b/a E & E Transport, (hereinafter "E & E"), U.S. DOT NO. 0601911, is a foreign motor carrier for hire, and it may be served with a copy of the complaint and summons as follows:

Timothy B. Estes d/b/a E & E Transport
595 Cricklewood Drive
Lexington, KY 40505

Jurisdiction and venue are proper in this Court.

5. Defendant Timothy B. Estes individually and as an Agent and Employee of E & E Transport may be served with a copy of the complaint and summons at his residence and domicile as follows:

Timothy B. Estes
595 Cricklewood Drive
Lexington, KY 40505

Jurisdiction and venue are proper in this Court.

6. At all times alleged in this complaint for damages Defendant Estes was acting within the course and scope of his employment and agency as a driver for Defendant E & E Transport.

7. All conditions precedent have been satisfied prior to the filing of this complaint for damages.

8. Plaintiff will move to add or substitute for the John Doe defendants any individuals, legal entities, or insurers that are shown to be proper parties to this action as discovery proceeds. Jurisdiction and venue over these defendants will be proper in this Court.

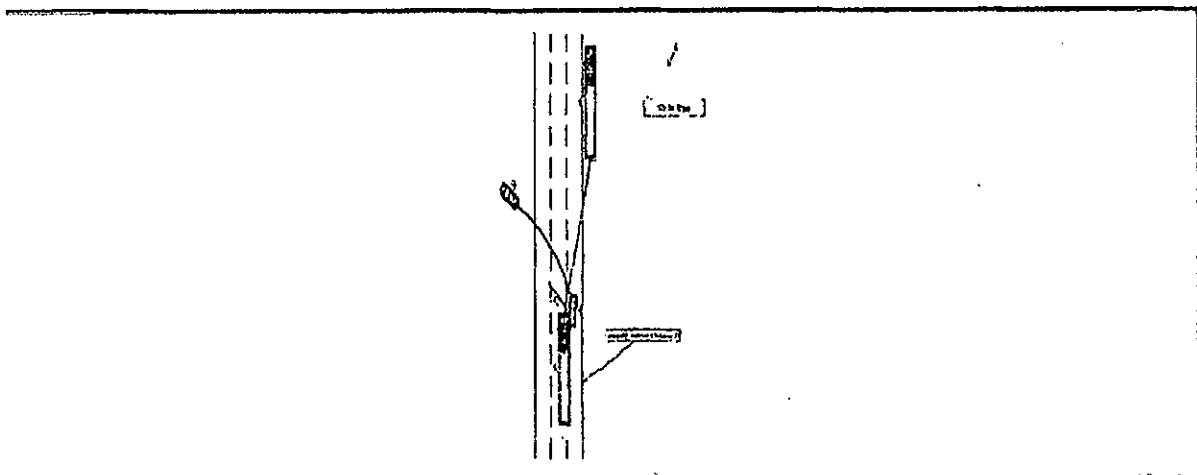
FACTUAL ALLEGATIONS

9. On February 16, 2021 at approximately 2:43 p.m., Plaintiff Brandy Timpson was operating a 2013 Toyota Camry belonging to Lakesha Jones, and

traveling southbound in the right lane of Georgia Highway 401 a/k/a I-75 near mile marker 179 in Monroe County, Georgia.

10. On February 16, 2021 at approximately 2:43 p.m., Defendant Estes individually and as an agent and employee of E & E Transport, was operating his commercial motor vehicle, a 2000 Kenworth, VIN 1XKWDB9X76J846453, U.S. DOT NO. 0601911, traveling southbound in the middle lane of Georgia Highway 401 a/k/a I-75 near mile marker 179 in Monroe County, Georgia.

11. Defendant Estes negligently merged into the right lane of Georgia Highway 401 a/k/a I-75 near mile marker 179, and struck the vehicle operated by Plaintiff Brandy Timpson. *See Incident Report Diagram, inset below.*



12. As a result of the collision, Plaintiff lost control of her vehicle, it traveled across all three southbound lanes of I-75, and left the roadway on the left

shoulder, the vehicle Timpson was operating was a total loss, and Ms. Timpson was transferred to Atrium Health Navicent Medical Center via ambulance.

13. As a result of this collision Ms. Timpson sustained a fracture of her left thumb and subsequent posttraumatic arthritis, as well as injuries to her head, neck, back, and jaw for which treatment is ongoing.

14. Plaintiff Brandy Timpson's medical bills to date exceed \$20,000, it is anticipated that future medical costs will exceed \$25,000, and her ability to labor, enjoy life has been impaired by defendants' negligence.

15. As a result of the collision, Plaintiff Brandy Timpson has suffered past, present physical injuries, attendant mental pain and suffering, and will continue to suffer pain and suffering and impairment in the future due to the severity of her injuries and the permanent nature of her injuries.

16. Defendants owed a duty to Plaintiff to exercise ordinary and reasonable care in operating their tractor trailer and to follow the basic rules of the road and other laws of the State of Georgia, including Georgia's adoption of the FMCSA regulations.

17. The sole proximate cause of Plaintiff Brandy Timpson's personal injuries and damages is the negligence and negligence per se of Defendant Estes including but not limited to traveling too fast for conditions, improper lane change,

and failing to yield to Plaintiff's vehicle in violation of O.C.G.A. §§ 40-6-180, 40-6-48 & 40-6-73 and FMCSA regulations, including proper spacing and distance and failing to keep a proper lookout, causing Plaintiff's personal injuries and damages.

18. Brandy Timpson was not negligent in any regards as it relates to the collision on February 16, 2021.

19. Plaintiff Brandy Timpson hereby demands judgment against the Defendants for Defendant Estes's wilful, wanton, reckless, negligent and negligent per se conduct, and for all general and special damages she is entitled to recover in law due to the permanent nature of her physical injuries, in an amount a jury deems appropriate at trial.

20. Plaintiff hereby demands judgment against the defendants in an amount to be determined by a jury at trial for all of her general and special damages, but in an amount not less than \$350,000.00.

21. Plaintiff is entitled to recover her attorneys' fees and costs for the bad faith conduct in the underlying incident, and for stubborn litigiousness and causing plaintiff unnecessary expense and cost for which there is no bona fide dispute as to the cause of this collision or plaintiff's personal injuries and damages as provided by O.C.G.A. § 13-6-11.

22. Defendant Sentry is obligated by O.C.G.A. §§ 40-1-112(c), 40-2-140(d)(4) and 40-1-1 et seq. to pay any verdict and resulting judgment included in the jury's verdict at trial to Plaintiff against the Defendants, and to indemnify its named insureds, additional insureds, hired and leased drivers operating non-owned, hired vehicles as named defendants in this complaint for damages under its motor carrier policies of insurance, as provided by the FMCSA regulations and Georgia law up to and including the full policy limits of liability and indemnity coverage for the commercial motor vehicle collision in question, and Plaintiff demands judgment against this motor carrier insurer at trial.

PRAYER FOR RELIEF

WHEREFORE Plaintiff prays for judgment against the Defendants and that she be granted the following relief:

- 1) That Defendants be served with this complaint, summons and discovery as provided by law;
- 2) That Plaintiff be granted judgment against the Defendants for all claims pled in this Complaint, in an amount that the jury finds will fully and adequately compensate Plaintiff for the compensatory damage claims, general and special, which have been sustained as a result of the Defendants' negligent and other wrongful misconduct, in an amount not less than \$350,000.00;

- 3) That Plaintiff Brandy Timpson recover her medical special damages to be proven at trial which are in excess of \$20,000.00 to date;
- 4) That plaintiff recover her reasonable attorney's fees and costs as provided by O.C.G.A. §§ 13-6-11 and/or 9-11-68;
- 5) That this Court grant such other equitable and further relief as it deems just and proper; and
- 6) PLAINTIFF HEREBY DEMANDS A TRIAL BY JURY ON ALL ISSUES, AND CLAIMS PLED IN THIS LAWSUIT AND ANY AMENDMENTS THERETO.

RESPECTFULLY SUBMITTED,

COUNSEL FOR PLAINTIFF
BRANDY TIMPSON:

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



"We Know Trucks"
www.terryjacksonlaw.com

TERRY D. JACKSON, P.C.
600 Edgewood Avenue
Atlanta, Georgia 30312
(404) 216-5312 cell
(404) 659-2400 office
(404) 659-2414 fax
terry@terryjacksonlaw.com

By: /s/ Harold D. McLendon
HAROLD D. McLENDON
Georgia Bar No. 497050

THE McLENDON LAW GROUP
P.O. Box 2003
Dublin, Georgia 31040
(478) 275-4620
(478) 275-4621 fax
mclendonhd@yahoo.com

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

SENTRY SELECT INSURANCE)
COMPANY,)

a foreign motor carrier insurer,)

TIMOTHY B. ESTES D/B/A)

E & E TRANSPORT,)

a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)

and as an Agent and Employee of)

E & E TRANSPORT,)

&)

JOHN OR JANE DOE)

INDIVIDUALS &)

ENTITIES (1-3),)

Defendants.)

Civil Action No.

23-C-00759-S5

JURY TRIAL DEMANDED

MOTION FOR APPOINTMENT OF PRIVATE PROCESS SERVER

COMES NOW plaintiff and respectfully requests that the Court appoint the
following private process server to serve Defendants in the above-styled matter:

Amy Thurman
Greentree Legal
10925 Reed Hartman Hwy., Suite 300
Cincinnati, OH 45242
Telephone: (513) 891-8600

Ms. Amy Thurman is a private process server, over the age of 18, a U.S. citizen, and is of sound mind and body. She has previously served complaints and summons for various law firms. She is not a party, relative to a party, or related to any attorney in this matter, not an attorney of any party, and not a convicted felon. She has no financial interest in the outcome of this litigation, and she is wholly disinterested as a person, directly or indirectly, to the outcome of this case or litigation. Attached to this motion is a proposed Order for the Court's signature and an affidavit of plaintiff's counsel stating that Ms. Thurman has previously served lawsuits on behalf of other law firms.

WHEREFORE plaintiff respectfully requests that the Court appoint Ms. Thurman to serve the complaint and summons on Defendants in the above-styled matter.

Dated: February 2, 2023.

RESPECTFULLY SUBMITTED,

COUNSEL FOR PLAINTIFF
BRANDY TIMPSON:

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



"We Know Trucks"
www.terryjacksonlaw.com

TERRY D. JACKSON, P.C.
600 Edgewood Avenue
Atlanta, Georgia 30312
(404) 216-5312 cell
(404) 659-2400 office
(404) 659-2414 fax
terry@terryjacksonlaw.com

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

Civil Action No.

SENTRY SELECT INSURANCE)
COMPANY,)

23-C-00759-S5

a foreign motor carrier insurer,)

JURY TRIAL DEMANDED

TIMOTHY B. ESTES D/B/A)

E & E TRANSPORT,)

a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)

and as an Agent and Employee of)

E & E TRANSPORT,)

&)

JOHN OR JANE DOE)

INDIVIDUALS &)

ENTITIES (1-3),)

Defendants.)

ORDER

The Court having read and considered plaintiff's motion to appoint a private process server, does hereby appoint Amy Thurman as a special agent for service of process on Defendants in the above-styled matter.

IT IS HEREBY ORDERED.

This _____ day of _____, 2023.

Judge
Gwinnett County State Court

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CLERK OF STATE COURT
GWINNETT COUNTY, GEORGIA
23-C-00759-S5
2/2/2023 5:10 PM
TIANA P. GARNER, CLERK

STATE OF KENTUCKY }
COUNTY OF FAYETTE }


23-C-00759-S5

**AFFIDAVIT OF AMY THURMAN IN SUPPORT OF APPOINTMENT OF
PRIVATE PROCESS SERVER**

Personally appeared before the undersigned officer duly authorized to administer oaths, Amy Thurman, who after first being duly sworn, states and deposes as follows:


1. My name is Amy Thurman, I am of legal age, sound mind and am otherwise competent to make this affidavit. The matters stated herein are within my personal knowledge and I know them to be true and correct.
2. I am employed as a private process server at Greentree Legal, I am over the age of 18, a U.S. citizen, and of sound mind and body. I have previously served complaints and summons for various law firms. I am not a party, relative to a party, or related to any attorney in this matter, not an attorney of any party, I have no financial interest in the outcome of this litigation, and I am wholly disinterested as a person, directly or indirectly, to the outcome of this case or litigation.
3. I file this affidavit in support of Mr. Terry Jackson's motion to appoint me to serve civil process in the above styled lawsuit.

FURTHER AFFIANT SAITH NOT.

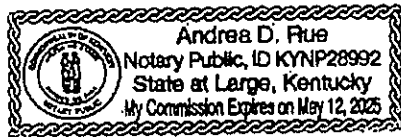


Amy Thurman

Sworn to and subscribed before me
this 1st day of February, 2023.



Notary Public
My Commission Expires: 5-12-25



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2/2/2023 5:10 PM
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IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

SENTRY SELECT INSURANCE)
COMPANY,)

a foreign motor carrier insurer,)

TIMOTHY B. ESTES D/B/A)
E & E TRANSPORT,)
a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)
and as an Agent and Employee of)
E & E TRANSPORT,)

&)

JOHN OR JANE DOE)
INDIVIDUALS &)
ENTITIES (1-3),)

Defendants.)

Civil Action No.

23-C-00759-S5

JURY TRIAL DEMANDED

**AFFIDAVIT OF COUNSEL FOR APPOINTMENT OF PRIVATE
PROCESS SERVER AMY THURMAN**

Personally appeared before the undersigned officer duly authorized to
administer oaths, Terry D. Jackson, who after first being duly sworn, states and
deposes as follows:

1. My name is Terry D. Jackson, I am of legal age, sound mind and am otherwise competent to make this affidavit. The matters stated herein are within my personal knowledge and I know them to be true and correct.

2. I have filed a motion with this Court requesting that it appoint Amy Thurman, a private process server, as a special agent for service of process on Defendants in the above-styled matter.

3. Ms. Thurman is over the age of 18, a U.S. citizen, and is of sound mind and body. She is employed at Greentree Legal. She has previously served complaints and summons for various law firms.

4. She is not a party, relative to a party, or related to any attorney in this matter, not an attorney of any party. She has no financial interest in the outcome of this litigation, and she is wholly disinterested as a person, directly or indirectly, to the outcome of this case or litigation.

5. Counsel respectfully requests that this honorable Court appoint Ms. Amy Thurman as a special agent for service of process in this case.

FURTHER AFFIANT SAITH NOT.

Sworn to and subscribed before me
this 2nd day of February, 2023.

Notary Public

My Commission Expires: 10/11/2026

TERRY D. JACKSON
Georgia Bar No. 686033



IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

Civil Action No. 23-C-00759-S5

SENTRY SELECT INSURANCE)
COMPANY,)

a foreign motor carrier insurer,)

JURY TRIAL DEMANDED

TIMOTHY B. ESTES D/B/A)

E & E TRANSPORT,)

a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)

and as an Agent and Employee of)

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&)

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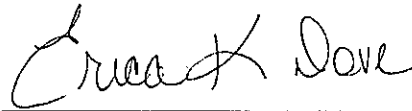
Defendants.)

ORDER

The Court having read and considered plaintiff's motion to appoint a private process server, does hereby appoint Amy Thurman as a special agent for service of process on Defendants in the above-styled matter.

IT IS HEREBY ORDERED.

This 3rd day of February, 2023.

A handwritten signature in black ink, appearing to read "Erica K. Dove". The signature is written in a cursive, flowing style.

Erica K. Dove, Judge
Gwinnett County State Court

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STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

Civil Action No.

SENTRY SELECT INSURANCE)
COMPANY,)

23-C-00759-S5

a foreign motor carrier insurer,)

JURY TRIAL DEMANDED

TIMOTHY B. ESTES D/B/A)
E & E TRANSPORT,)
a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)
and as an Agent and Employee of)
E & E TRANSPORT,)

&)

JOHN OR JANE DOE)
INDIVIDUALS &)
ENTITIES (1-3),)

Defendants.)

**PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS TO STATE FARM
MUTUAL AUTOMOBILE INSURANCE COMPANY**

COMES NOW Plaintiff, pursuant to O.C.G.A. § 9-11-36, and hereby
requests that State Farm Mutual Automobile Insurance Company (hereinafter
"STATE FARM"), admit or deny that each of the statements set forth below is

true, and serve a copy of the answers upon the undersigned counsel of record within the time limits set forth in O.C.G.A. § 9-11-36.

You are requested to admit the following, and if you respond with anything less than a full and unqualified admission of any request, you are requested to explain your reason(s) therefore. You may not give lack of information or knowledge as a reason for failure to admit or deny unless you state that you have made a reasonable inquiry and that the information known to or readily obtainable by you is insufficient to enable you to admit or deny. If you consider that a matter of which an admission has been requested presents a genuine issue for trial, you may not, on that ground alone, object to the request, but you may, subject to the provisions of O.C.G.A. § 9-11-37(c), deny the matter or set forth reasons why you cannot admit or deny it.

1. That you have been properly served with a copy of the Plaintiff's Complaint and Summons.
2. That jurisdiction and venue are proper in the State Court of Gwinnett County.
3. That you have been properly named in the Plaintiff's Summons served upon you.

4. That Plaintiff Brandy Patrice Timpson was not negligent in any regard as it relates to the subject motor vehicle collision on February 16, 2021, that is the basis for this Complaint.

5. That Plaintiff has suffered personal injuries and damages as a result of the collision with Defendant Timothy B. Estes on February 16, 2021.

6. That the injuries to Plaintiff were caused by the collision with Defendant Timothy B. Estes on February 16, 2021.

7. That Plaintiff did nothing to cause or contribute to the instant collision, and that she is 0% negligent as a contributing proximate cause to the collision in this case.

8. That you have not paid or offered anything to Plaintiff Brandy Patrice Timpson for the personal injuries and damages she has incurred as a result of the collision with Defendant Timothy B. Estes on February 16, 2021.

RESPECTFULLY SUBMITTED,

**COUNSEL FOR PLAINTIFF
BRANDY PATRICE TIMPSON:**

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



"We Know Trucks"

www.terryjacksonlaw.com

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CLERK OF STATE COURT
GWINNETT COUNTY, GEORGIA
23-C-00759-S5
2/2/2023 5:10 PM
TIANA P. GARNER, CLERK

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

Civil Action No. 23-C-00759-S5

SENTRY SELECT INSURANCE)
COMPANY,)

a foreign motor carrier insurer,)

JURY TRIAL DEMANDED

TIMOTHY B. ESTES D/B/A)
E & E TRANSPORT,)
a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)
and as an Agent and Employee of)
E & E TRANSPORT,)

&)

JOHN OR JANE DOE)
INDIVIDUALS &)
ENTITIES (1-3),)

Defendants.)

**PLAINTIFF'S FIRST INTERROGATORIES TO STATE FARM MUTUAL
AUTOMOBILE INSURANCE COMPANY**

COMES NOW Plaintiff in the above-styled action, and serves these
Interrogatories upon STATE FARM MUTUAL AUTOMOBILE INSURANCE

COMPANY (hereinafter "STATE FARM"), and requests that they be fully answered in writing and under oath within thirty (30) days of the date of service.

Each interrogatory is addressed to the personal knowledge of the Defendant, as well as to the knowledge and information of Defendant's attorneys, investigators, agents, employees, and other representatives.

Please do not respond to Interrogatories by referring to the responses to other Interrogatories or by adoption, since some of the Interrogatories may be introduced into evidence and should be complete in and of themselves.

These Interrogatories shall be deemed continuing; therefore, please supplement or amend a prior response if the person to whom these Interrogatories are addressed ascertains (a) any changed, different, or added fact, condition or circumstance, or (b) any other witness or witnesses.

If you object to part of a request, please identify any information withheld, sufficient to support a Motion to Compel. If you object to the scope or time period of the request, please answer the request for the scope or time period you believe is appropriate.

"Document," whether singular or plural, means documents and other tangible things defined in the broadest sense permitted by the Georgia Civil Practice Act and shall include without limitation originals or, if such are not

available, true copies, including copies of documents, videotapes, computer data, and sound material.

“Person” means any natural person, corporation, partnership, association, limited liability corporation or partnership, group, organization, etc. When identifying a “Person” provide their or its:

- i) name;
- ii) address (last known);
- iii) telephone number (last known); and
- iv) employer (last known), if any.

“Person” who is not an “individual” but is rather a firm, partnership, limited liability corporation or partnership, corporation, or other entity, shall deem to request the full name and present or last known address and telephone number of such entity, the legal form of such entity or organization and the identity of its chief executive officer.

“Identify” with respect to any person means to provide the name or business name, address, telephone number, and a description of each such person’s connection with the events in question. “Identify” with respect to any document requests a detailed description of each document.

“Identify” with respect to any “document” means (unless other specific information is requested in addition thereto) to provide the following information

irrespective of whether the document is deemed privileged or subject to any claim of privilege:

- a) The title or other means of identification;
- b) The date;
- c) The author, including his name, address, telephone number and employer, if any;
- d) The present location of the original and copies thereof in the possession, custody, or control of these defendant(s);
- e) The names, addresses, telephone numbers and employers, if any, of all persons, other than these defendant(s) who have possession, custody or control of the original or copies thereof; and
- f) Any claim or privilege thereof, if asserted.

“Identify” in the case of an “oral communication” means to supply the date, place, subject matter, identity of speaker, identity of witnesses to the communication, nature of the communication, whether it is recorded or otherwise memorialized and whether it was in person or on the telephone or other means of electronic transmission.

INTERROGATORIES

1. Identify any automobile liability insurance policy, underinsured or uninsured motorists’ insurance policy, umbrella policy or excess liability insurance policy that you contend provides coverage for Plaintiff Brandy Patrice Timpson’s injuries and damages claims, and for each such policy identify the:

- a. Full legal name of the insurer;
- b. Policy Number;
- c. The policy limits of coverage;
- d. The policy period that includes the date of this incident on February 16, 2021;
- e. Coverage limits that have not been paid or tendered to Plaintiff; and
- f. Any remaining policy limits of coverage available to provide coverage for the Plaintiff's injuries and damages claims.

2. Describe in detail each act or omission on the part of any person or party to this lawsuit that you contend constituted negligence that was a contributing proximate cause of the incident in question.

3. Please identify any person from whom you or your attorneys have secured written or oral statements relating to the dispute between the parties. Include the dates those statements were obtained, where they were obtained, and who took or recorded any such statement.

4. Identify all persons whom you contend have factual knowledge of this accident.

5. Identify any person whom you may call as a witness at trial and provide all information regarding the addresses and telephone numbers of such persons included in the definition section above.

6. Please give the name, addresses and telephone numbers of all persons who have relevant knowledge, or information reasonably calculated to lead to the discovery of relevant or admissible evidence, concerning Plaintiff's claims and damages, and your defenses.

7. Please identify all persons who have in any way investigated the claims made in this lawsuit on your behalf, and whether each has made a written record of the investigation.

8. Identify all case law, by cite, supporting any defense plead in your Answer and the application of that law to the facts plead in Plaintiff's Complaint.

9. Please detail the factual and legal basis for each defense plead in your Answer.

10. Please state the name and address of all expert witnesses or professional consultants retained or consulted by you or on your behalf to make an evaluation or investigation of the cause of the occurrence giving rise to this lawsuit or the damages sustained by Plaintiff.

11. Please identify each expert expected to testify at trial and state the subject matter the expert is expected to testify about, state the substance of the facts and opinions to which the expert is expected to testify, and give a summary of the grounds for each opinion. *See* O.C.G.A. § 9-11-26(b)(4)(A)(i). Please note that this interrogatory applies to all expert witnesses. The trial court has the power

to exclude any expert or any expert testimony not fairly disclosed in your Answer to this interrogatory.

12. With regard to each statement (oral, written, recorded, court or deposition transcript, etc.) taken from any person with knowledge relevant to this lawsuit, please state the name of each person giving each statement, the name and address of the person or entity taking each statement, the date each statement was taken, and the name and address of each person having possession, custody or control of each statement.

13. Describe with particularity all photographs, charts, diagrams, videotapes, documents, illustrations, and/or other tangible items, of any person, place or thing involved in this lawsuit, giving the date each was made and the name and address of the person(s) with possession, custody, or control of each item.

14. Who, to your knowledge, has inspected the vehicle operated by Defendant Timothy B. Estes that was involved in the collision of February 16, 2021, described in Plaintiff's Complaint, and when did those inspections occur?

15. Please identify any and all documentary or other tangible evidence not previously identified, which you believe demonstrates and/or supports facts relevant to the claims and/or defenses in this case.

16. Identify all individuals and legal persons or entities that you contend are responsible directly or indirectly for the injuries and damages caused to Plaintiff arising out of the motor vehicle collision on February 16, 2021. For each such person identified, please provide his or her name, address, and telephone number.

17. If you maintain that anyone other than Defendants Timothy B. Estes and E & E Transport has any responsibility of any kind for the subject motor vehicle collision of February 16, 2021, and/or for any of the damages alleged in the Plaintiff's Complaint, identify each such person and or entity, describe in detail the basis for their responsibility and identify all person(s) who have any knowledge regarding this issue.

RESPECTFULLY SUBMITTED,

**COUNSEL FOR PLAINTIFF
BRANDY PATRICE TIMPSON:**

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 38603



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COMPANY,)

a foreign motor carrier insurer,)

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E & E TRANSPORT,)

a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)

and as an Agent and Employee of)

E & E TRANSPORT,)

&)

JOHN OR JANE DOE)

INDIVIDUALS &)

ENTITIES (1-3),)

Defendants.)

Civil Action No.
23-C-00759-S5

JURY TRIAL DEMANDED

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
TO STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY**

Pursuant to O.C.G.A. § 9-11-26, et seq., and O.C.G.A. § 24-10-26, et seq.,

Plaintiff hereby requests that STATE FARM MUTUAL AUTOMOBILE

INSURANCE COMPANY (hereinafter "STATE FARM"), respond as provided by

law, with a copy of the responses being served upon the undersigned counsel of record for the Plaintiff at the law offices of TERRY D. JACKSON, 600 Edgewood Avenue, Atlanta, Georgia 30312, or at such other reasonable time and place you may designate, the following documents:

DEFINITIONS AND INSTRUCTIONS

- A. This request for production of documents and notice to produce shall be deemed continuing to the extent permitted by O.C.G.A. § 9-11-26, et seq., and O.C.G.A. § 24-10-26, et seq., so as to require Defendant(s) to serve or produce upon all parties supplemental answers or documents if Defendant(s) or their attorneys obtain further information between the time the answers are served and the time of trial. Plaintiff also requests that Defendant(s) produce the originals of each document at trial and any deposition of Defendant(s) or its agents or employees.
- B. "Document," whether singular or plural, means documents and other tangible things defined in the broadest sense permitted by the Georgia Civil Practice Act and shall include without limitation originals or, if such are not available, true copies, including copies of documents, videotapes, computer data, and sound material.
- C. "Person" means any natural person, corporation, partnership, association, governmental entity, agency, group, organization, etc.

- D. If a requested document is no longer in your possession, custody or control, please identify the document with specificity.
- E. If you object to part of a request, please identify any documents withheld. If you object to the scope or time period of the request, please answer the request for the scope or time period you believe is appropriate.
- F. If you assert the attorney-client privilege or work-product exclusion as to any document requested by any of the following specific requests, please identify the document in sufficient detail to permit the Court to reach a determination in the event of a Motion to Compel.
- G. **Please provide all electronic or computer files in their original unedited digital, computer, electronic medium file format (jpeg, tiff, .dwg, .cad, .mp3, .mp4, .mov, etc.) on a flash drive (thumb drive), DVD, etc. and Plaintiff will pay for the cost to you for the DVD or flash drive. You can also download those raw, original electronic files or items via Dropbox or other file sharing service and send an email link to directly to counsel for Plaintiff.**

REQUEST FOR PRODUCTION OF DOCUMENTS

STATE FARM is requested to produce each of the following:

1. A complete certified copy of any automobile policies and umbrella policies issued to your insured for the period including February 16, 2021. Please

include all offers and rejections of UIM coverage in writing by those insureds, the coverage details, declarations pages, and all policy language for each insurance policy.

2. Any correspondence, statements, documents, or other tangible evidence involving any of the witnesses or other individuals that you contend are involved or may have factual knowledge of the dispute between the parties.

3. All documents that you receive in response to your Requests for Production of Documents to third parties and non-parties in this litigation.

4. Any and all documents identified, referenced, or used to answer any of Plaintiff's Interrogatories in this matter.

5. Any and all documents that support any defenses raised in your Answer, or any relevant fact to this litigation.

6. All non-privileged documents, pleadings, correspondence, memoranda, and other writings received by you or sent by you directly, or indirectly by agents, attorneys, or others on your behalf, relating to the incident on February 16, 2021.

7. Any and all documentary evidence or other tangible evidence which relates to or is reasonably calculated to lead to the discovery of relevant or admissible evidence, regarding any of the Plaintiff's claim in this action or defendant's defenses.

8. All reports received from any experts who have investigated any issue relevant to this lawsuit, and all materials and documents provided by you to each expert identified and expected to testify at trial, and all documents they have provided to you.

9. Any demonstrative evidence in your possession relevant to the issues of this case; including all photographs (color copies) of the subject vehicles and incident scene, including jpegs, phone photographs, or other images of the vehicles.

10. The curriculum vitae of all experts who are expected to testify on your behalf, and any documents they created, reviewed, or relied on and were provided by you or to you.

11. Copies of all correspondence between you and any defendant and/or third party relating to this incident of February 16, 2021, from the date of the incident through the present date.

12. Please produce a complete copy of all materials, files, documents, electronic or digital files sent by you or received from any expert, relating to the collision on February 16, 2021.

13. Please produce a complete copy of all computer files, photographs, diagrams, or other documents or evidence in your possession, custody, or control

prepared or made on your behalf by any expert you have retained for this case. See
O.C.G.A. § 9-11-26.

RESPECTFULLY SUBMITTED,

**COUNSEL FOR PLAINTIFF
BRANDY PATRICE TIMPSON:**

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



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BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

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COMPANY,)

a foreign motor carrier insurer,)

TIMOTHY B. ESTES D/B/A)

E & E TRANSPORT,)

a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)

and as an Agent and Employee of)

E & E TRANSPORT,)

&)

JOHN OR JANE DOE \)

INDIVIDUALS &)

ENTITIES (1-3),)

Defendants.)

Civil Action No.

23-C-00759-S5

JURY TRIAL DEMANDED

PLAINTIFF'S FIRST REQUESTS FOR ADMISSIONS TO DEFENDANT
SENTRY SELECT INSURANCE COMPANY

COMES NOW Plaintiff and requests that Defendant SENTRY SELECT
INSURANCE COMPANY admit or deny that each of the statements set forth
below is true, and serve a copy of the answers upon the undersigned counsel of
record within the time limits set forth in O.C.G.A. § 9-11-36.

You are requested to admit the following, and if you respond with anything less than a full and unqualified admission of any request, you are requested to explain your reason(s) therefore. You may not give lack of information or knowledge as a reason for failure to admit or deny unless you state that you have made a reasonable inquiry and that the information known to or readily obtainable by you is insufficient to enable you to admit or deny. If you consider that a matter of which an admission has been requested presents a genuine issue for trial, you may not, on that ground alone, object to the request, but you may, subject to the provisions of O.C.G.A. §§ 9-11-26 & 9-11-36, deny the matter or set forth reasons why you cannot admit or deny it.

NOTE: It is not a valid basis to object to or deny a request for admission because it reaches an issue of fact and question of law applicable to this case. *See G.H. Bass & Co. v. Fulton County Bd. Of Tax Assessors*, 268 Ga. 327 (1997); *McLarty v. Trigold Incorporated et al.*, 333 Ga. App. 112 (2015); O.C.G.A. § 9-11-36(a).

Defendant is requested to admit as follows:

1. That service of the complaint and summons by Plaintiff complies with O.C.G.A. § 9-11-4.
2. That there is no defect in the service of process by Plaintiff.
3. That venue is proper in this Court.

4. That jurisdiction is proper in this Court.

5. That Plaintiff Brandy Patrice Timpson was injured in the collision on February 16, 2021.

6. That the sole proximate cause of Plaintiff's personal injuries alleged in the claims against you arose out of the collision on February 16, 2021.

7. That Plaintiff has received medical treatment in the past due to her injuries arising out of the collision on February 16, 2021.

8. That Plaintiff will require medical treatment in the future for her injuries arising out of the collision on February 16, 2021.

9. That Plaintiff has incurred medical bills in the past arising out of the collision on February 16, 2021.

10. That Plaintiff will incur medical bills in the future arising out of the collision on February 16, 2021.

11. That Plaintiff has suffered physical and mental pain in the past arising out of the collision on February 16, 2021.

12. That Plaintiff will suffer physical and mental pain in the future arising out of the collision on February 16, 2021.

13. That Plaintiff has suffered special damages in the form of lost wages, past, present and future, due to the negligence of the defendants in this matter.

14. That Plaintiff was not negligent in any regard as it relates to the operation of her vehicle at the time of the collision forming the basis of this lawsuit.

15. That you issued a motor carrier insurance policy providing coverage to Timothy B. Estes d/b/a E & E Transport on February 16, 2021.

16. That you were a motor carrier insurer as provided by Georgia law on February 16, 2021.

RESPECTFULLY SUBMITTED,

**COUNSEL FOR PLAINTIFF
BRANDY PATRICE TIMPSON:**

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



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TIMOTHY B. ESTES, individually)

and as an Agent and Employee of)

E & E TRANSPORT,)

&)

JOHN OR JANE DOE)

INDIVIDUALS &)

ENTITIES (1-3),)

Defendants.)

**PLAINTIFF'S FIRST INTERROGATORIES TO DEFENDANT SENTRY
SELECT INSURANCE COMPANY**

COMES NOW Plaintiff and serves these interrogatories upon Defendant
SENTRY SELECT INSURANCE COMPANY and requests that they be answered
fully, in writing and under oath within thirty (33) days from the date of these

requests or thirty (30) days from the receipt of service thereof, whichever is later, all in accordance with O.C.G.A. §§ 9-11-33 and 9-11-34.

Unless otherwise stated, each interrogatory contained herein is addressed to the knowledge and information of Defendant, as well as to the knowledge and information of Defendant's attorneys, investigators, agents, employees or other representatives. When a question or request is directed to the Defendant, the question is also directed to the aforementioned person(s).

DEFINITIONS

As used herein, the terms listed below are defined as follows:

1. **"Document"** means every writing, printing, record, graphic, photographic or sound reproduction of every type and description that has been in Defendant's possession, control or custody or of which it has knowledge, including but not limited to, correspondence, reports, meeting minutes, memoranda, stenographic or handwritten notes, diaries, notebooks, account books, orders, invoices, statements, bills, checks, vouchers, purchase orders, studies, surveys, charts, maps, analyses, publications, books, pamphlets, periodicals, catalogues, brochures, schedules, circulars, bulletins, notices, instructions, manuals, journals, e-mails, e-mail attachments, data sheets, work sheets, statistical compilations, data processing cards, microfilms, computer records (including printouts, disks or other magnetic storage

media), tapes, photographs (positive or negative prints), drawings, films, videotapes, pictures, and voice recordings. Plaintiff expressly intend for the term "Document" to include every copy of such writing, etc. when such copy contains any commentary or notation whatsoever that does not appear on the original and any attachments or exhibits to the requested document or any other documents referred to in the requested document or incorporated by reference.

2. "**Person**" means any natural person, corporation, partnership, proprietorship, association, organization, group of persons, or any governmental body or subdivision thereof.
3.
 - (a) "**Identify**" with respect to any "person" or any reference to stating the "identity" of any "person" means to provide the name, home address, telephone number, business name, business address, and business telephone number of such person, and a description of each such person's connection with the events in question.
 - (b) "**Identify**" with respect to any "document" or any reference to stating the "identification" of any "document" means to provide the title and date of each such document, the name and address of the party or parties responsible for the preparation of each such document, the name and address of the party who requested or required the

preparation of the document or on whose behalf it was prepared, the name and address of the recipient or recipients of each such document, and the names and addresses of any and all persons who have custody or control of each such document, or copies thereof.

4. **"Subject Incident"** means events made the basis of the Complaint, including but not limited to the incident at issue on February 16, 2021 in Monroe County, Georgia.
5. **"You," "Your," "SENTRY," or "Defendant"** means Defendant Sentry Select Insurance Company.
6. **"Insurer"** means "Sentry Select Insurance Company," and any of its subsidiaries and affiliates, both domestic and foreign, or any of their agents, servants, and/or employees.
7. **"Similar"** shall have the meaning given in the American Heritage Dictionary, which is "showing some resemblance; related in appearance or nature; alike but not identical." As used here, the word "similar" shall not be limited as if modified by the word "substantially" and shall not mean "the same." If you limit the information provided because you use another interpretation of the word "similar," please state the interpretation you are using and reveal the nature of the information withheld.

8. The terms “and” as well as “or” shall be each construed conjunctively and disjunctively as necessary to bring within the scope of each interrogatory and request for documents all information and documents that might otherwise be construed to be outside its scope. The term “and/or” shall be construed likewise.
9. Whenever necessary to bring within the scope of an interrogatory or request for production of documents any information or document that might otherwise be construed to be outside its scope: (i) the use of a verb in any tense shall be construed as the use of the verb in all other tenses; (ii) the use of the singular shall be construed as the use of the plural and vice versa; and (iii) “any” includes “all,” and “all” includes “any.”
10. With regard to any term used herein that is deemed by the responding party as being ambiguous or vague, a term shall be construed in its broadest sense to encompass all reasonable definitions of that term.
11. With regard to any term used herein that is deemed by the responding party as being ambiguous or vague, a term shall be construed in its broadest sense to encompass all reasonable definitions of that term.
12. Each interrogatory shall be deemed continuing so as to require prompt supplemental responses, in accordance with O.C.G.A. § 9-11-26, if you

obtain or discover further documents responsive to the particular request between the time of responding to the request and the time of trial.

INTERROGATORIES

1. Describe in detail each act or omission on the part of any party to this lawsuit that you contend constituted negligence that was a contributing legal cause of the subject incident of February 16, 2021, which forms the basis of Plaintiff's Complaint.

2. State the name and address of every person known to you, your agents, or your attorneys who has knowledge about, or possession, custody or control of, any model, plat, map, drawing, motion picture, video-tape or photograph pertaining to any fact or issue involved in this controversy; and describe as to each, what item such person has, the name and address of the person who took or prepared it, and the date it was taken or prepared.

3. Do you intend to call any expert witnesses at the trial of this case? If so, state as to each such witness the name and business address of the witness, the witness's qualifications as an expert, the subject matter upon which the witness is expected to testify, the substance of the facts and opinions to which the witness is expected to testify, and a summary of the grounds for each opinion. *See* O.C.G.A. § 9-11-26.

4. If Timothy B. Estes or any other employee or agent of E & E Transport made any oral or written statement regarding the subject incident of February 16, 2021 which forms the basis of Plaintiff's Complaint, please quote such statement(s) as your answer to this interrogatory.

5. If the Plaintiff in this case made any oral or written statement regarding the subject incident of February 16, 2021 which forms the basis of Plaintiff's Complaint, please quote such statement as your answer to this interrogatory.

6. For each policy of insurance providing coverage in this matter for Timothy B. Estes d/b/a E & E Transport, please list the dates of coverage, policy number, and limits of coverage for all types of coverages afforded.

7. Please identify with particularity all photographs, videos or other types of visual, audio or computer representations of any item, thing or person involved in the collision described in Plaintiff's Complaint.

8. What training, operational assistance or suggestion, via risk audits or otherwise, did you provide any defendant herein prior to February 16, 2021, concerning motor carrier operations? Identify with particularity any documents or things reflecting such matters.

9. Do you contend that you are not a proper defendant in this case? If you do, please describe in detail your contention as to why you should not be a named defendant.

10. Please identify by name, last known address, email address and telephone number all persons or entities that you contend have knowledge regarding any liability or damage issue, fact, or claim of the Plaintiff relating to the collision on February 16, 2021 and your defense of those claims of the Plaintiff.

RESPECTFULLY SUBMITTED,

**COUNSEL FOR PLAINTIFF
BRANDY PATRICE TIMPSON:**

By: /s/ Terry D. Jackson
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date of these requests or thirty (30) days from the receipt of service thereof, whichever is later, all in accordance with O.C.G.A. §§ 9-11-33 and 9-11-34.

Unless otherwise stated, each document request contained herein is addressed to the knowledge and information of Defendant, as well as to the knowledge and information of Defendant's attorneys, investigators, agents, employees or other representatives. When a question or request is directed to the Defendant, the question is also directed to the aforementioned person(s).

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1. **"Document"** means every writing, printing, record, graphic, photographic or sound reproduction of every type and description that has been in Defendant's possession, control or custody or of which it has knowledge, including but not limited to, correspondence, reports, meeting minutes, memoranda, stenographic or handwritten notes, diaries, notebooks, account books, orders, invoices, statements, bills, checks, vouchers, purchase orders, studies, surveys, charts, maps, analyses, publications, books, pamphlets, periodicals, catalogues, brochures, schedules, circulars, bulletins, notices, instructions, manuals, journals, e-mails, e-mail attachments, data sheets, work sheets, statistical compilations, data processing cards, microfilms, computer records (including printouts, disks or other magnetic storage

media), tapes, photographs (positive or negative prints), drawings, films, videotapes, pictures, and voice recordings. Plaintiff expressly intend for the term "Document" to include every copy of such writing, etc. when such copy contains any commentary or notation whatsoever that does not appear on the original and any attachments or exhibits to the requested document or any other documents referred to in the requested document or incorporated by reference.

2. **"Person"** means any natural person, corporation, partnership, proprietorship, association, organization, group of persons, or any governmental body or subdivision thereof.
3.
 - (a) **"Identify"** with respect to any "person" or any reference to stating the "identity" of any "person" means to provide the name, home address, telephone number, business name, business address, and business telephone number of such person, and a description of each such person's connection with the events in question.
 - (b) **"Identify"** with respect to any "document" or any reference to stating the "identification" of any "document" means to provide the title and date of each such document, the name and address of the party or parties responsible for the preparation of each such document, the name and address of the party who requested or required the

preparation of the document or on whose behalf it was prepared, the name and address of the recipient or recipients of each such document, and the names and addresses of any and all persons who have custody or control of each such document, or copies thereof.

4. **"Subject Incident"** means events made the basis of the Complaint, including but not limited to the incident at issue on February 16, 2021 in Monroe County, Georgia.
5. **"You," "Your," "SENTRY," or "Defendant"** means Defendant Sentry Select Insurance Company.
6. **"Insurer"** means "Sentry Select Insurance Company," and any of its subsidiaries and affiliates, both domestic and foreign, or any of their agents, servants, and/or employees.
7. **"Similar"** shall have the meaning given in the American Heritage Dictionary, which is "showing some resemblance; related in appearance or nature; alike but not identical." As used here, the word "similar" shall not be limited as if modified by the word "substantially" and shall not mean "the same." If you limit the information provided because you use another interpretation of the word "similar," please state the interpretation you are using and reveal the nature of the information withheld.

8. The terms “and” as well as “or” shall be each construed conjunctively and disjunctively as necessary to bring within the scope of each interrogatory and request for documents all information and documents that might otherwise be construed to be outside its scope. The term “and/or” shall be construed likewise.
9. Whenever necessary to bring within the scope of an interrogatory or request for production of documents any information or document that might otherwise be construed to be outside its scope: (I) the use of a verb in any tense shall be construed as the use of the verb in all other tenses; (ii) the use of the singular shall be construed as the use of the plural and vice versa; and (iii) “any” includes “all,” and “all” includes “any.”
10. With regard to any term used herein that is deemed by the responding party as being ambiguous or vague, a term shall be construed in its broadest sense to encompass all reasonable definitions of that term.
11. With regard to any term used herein that is deemed by the responding party as being ambiguous or vague, a term shall be construed in its broadest sense to encompass all reasonable definitions of that term.
12. Each request for production of documents shall be deemed continuing so as to require prompt supplemental responses, in accordance with O.C.G.A. § 9-11-26, if you obtain or discover further documents responsive to the

particular request between the time of responding to the request and the time of trial.

13. If you claim a privilege as a grounds for not responding in whole or in part to any request, in your response to the request, you shall:
 - (a) Identify and describe each such document by date, author, and recipient;
 - (b) State the privilege or privileges asserted; and
 - (c) Describe the factual basis for the claim of privilege in sufficient detail so that the Court may adjudicate the validity of the claim.
14. If documents are produced by category, and if you consider that a document is described by more than one category, the document may be placed in any one such category describing the document.
15. **Please provide all electronic or computer files in their original unedited digital, computer, electronic medium file format (jpeg, tiff, .dwg, .cad, etc.) on a flash drive (thumb drive), DVD, etc. and Plaintiff will pay for the cost to you for the DVD or flash drive. You can also download those items via Dropbox or other file sharing service and send an email link to directly to counsel for Plaintiff.**

REQUEST FOR PRODUCTION OF DOCUMENTS

Defendant SENTRY SELECT INSURANCE COMPANY is requested to produce the following:

1. Please produce a complete certified copy of the insurance policy issued by Sentry Select Insurance Company providing coverage to Timothy B. Estes d/b/a E & E Transport on February 16, 2021, including the declarations pages, policy language, and endorsements to that policy.
2. Please produce a complete copy of each motor carrier insurance policy, umbrella policy, and excess liability insurance policy issued by any insurer to Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, individually, for the period including February 16, 2021, and include all policy language, declarations pages, endorsements, exclusion and other policy terms for each such policy.
3. Please produce all documents, materials and/or things identified in your response to Plaintiff's First Interrogatories.
4. Please produce a copy of any investigative file into the incident of February 16, 2021, which forms the basis of Plaintiff's Complaint, required to be performed.
5. Please produce any statement made by any person regarding the collision involved in this case.

6. Please produce any photographs, diagrams or documents evidencing the roadway, and/or any of the vehicles or persons involved in the incident of February 16, 2021, which forms the basis of Plaintiff's Complaint.

7. If you contend you are not subject to a direct action in this case pursuant to O.C.G.A. § 46-7-12 or § 40-1-112, please provide a copy of your entire underwriting file concerning Defendant Timothy B. Estes d/b/a E & E Transport, for the past five (5) years.

8. Please produce all correspondence or communication between you and any third party relating to this collision. This request does not seek privileged communications with counsel.

9. Please produce all reports received from any experts who have investigated any issue relevant to this lawsuit. Also, produce all materials and documents provided by you to each expert identified and expected to testify at trial.

10. Please produce a complete copy of all materials sent by you or received from any expert, relating to the collision on February 16, 2021.

11. Please produce a complete copy of all computer files, photographs, diagrams, or other documents or evidence in your possession, custody, or control prepared or made on your behalf by any expert you have retained for this case. See O.C.G.A. § 9-11-26.

12. Please produce a complete copy of any and all materials, including jpegs or other digital medium format, CAD files, drawing or dwg. files in CAD or other drawing program, diagram, animations, recreations, simulations, or other demonstrative depiction of this incident, measurements, total station, laser scanning, GPS, digital 3D photogrammetry, or other digital reconstruction of this collision in your possession or available to you from any expert you retained or consulted with regarding the collision in this case, that you either provided to your expert or that he, she or it provided to you. Please provide those items in their original unedited digital, computer, electronic medium format on a flash drive (thumb drive), DVD, etc. and Plaintiff will pay for the cost of the DVD or flash drive.

13. All documents that you receive in response to your Requests for Production of Documents to third parties and non-parties in this litigation.

RESPECTFULLY SUBMITTED,

**COUNSEL FOR PLAINTIFF
BRANDY PATRICE TIMPSON:**

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



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terry@terryjacksonlaw.com

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

Civil Action No.

SENTRY SELECT INSURANCE)
COMPANY,)

23-C-00759-S5

a foreign motor carrier insurer,)

JURY TRIAL DEMANDED

TIMOTHY B. ESTES D/B/A)
E & E TRANSPORT)TIMOTHY B. ESTES, individually)
and as an Agent and Employee of)
E & E TRANSPORT,)

&)

JOHN OR JANE DOE)
INDIVIDUALS &)
ENTITIES (1-3),)

Defendants.)

**PLAINTIFF'S FIRST REQUESTS FOR ADMISSIONS TO DEFENDANTS
TIMOTHY B. ESTES D/B/A E & E TRANSPORT & TIMOTHY B. ESTES,
INDIVIDUALLY AND AS AN AGENT AND EMPLOYEE OF E & E
TRANSPORT**

COMES NOW Plaintiff and requests that Defendants TIMOTHY B. ESTES
D/B/A E & E TRANSPORT and TIMOTHY B. ESTES, Individually and as an
Agent and Employee of E & E TRANSPORT, admit or deny that each of the
statements set forth below is true, and serve a copy of the answers upon the

undersigned counsel of record within the time limits set forth in O.C.G.A. § 9-11-36.

You are requested to admit the following, and if you respond with anything less than a full and unqualified admission of any request, you are requested to explain your reason(s) therefore. You may not give lack of information or knowledge as a reason for failure to admit or deny unless you state that you have made a reasonable inquiry and that the information known to or readily obtained by you is insufficient to enable you to admit or deny. If you consider that a matter of which an admission has been requested presents a genuine issue for trial, you may not, on that ground alone, object to the request, but you may, subject to the provisions of O.C.G.A. § 9-11-26 & 9-11-36, deny the matter or set forth reasons why you cannot admit or deny it.

NOTE: It is not a valid basis to object to or deny a request for admission because it reaches an issue of fact and question of law applicable to this case. *See G.H. Bass & Co. v. Fulton County Bd. Of Tax Assessors*, 268 Ga. 327 (1997); *McLarty v. Trigold Incorporated et al.*, 333 Ga. App. 112 (2015); O.C.G.A. § 9-11-36(a).

Defendants are requested to admit as follows:

1. That service of the Complaint and Summons by Plaintiff complies with O.C.G.A. §9-11-4.

2. That there is no defect in the service of process by Plaintiff.
3. That venue is proper in this Court.
4. That jurisdiction is proper in this Court.
5. That Plaintiff Brandy Patrice Timpson was injured in the subject collision on February 16, 2021.
6. That the sole proximate cause of Plaintiff's personal injuries alleged in the claims against you arose out of the subject collision on February 16, 2021.
7. That Plaintiff has received medical treatment in the past due to her injuries arising out of the collision on February 16, 2021.
8. That Plaintiff will require medical treatment in the future for her injuries arising out of the collision on February 16, 2021.
9. That Plaintiff has incurred medical bills in the past arising out of the collision on February 16, 2021.
10. That Plaintiff will incur medical bills in the future arising out of the collision on February 16, 2021.
11. That Plaintiff has suffered physical and mental pain in the past arising out of the collision on February 16, 2021.
12. That Plaintiff will suffer physical and mental pain in the future arising out of the collision on February 16, 2021.

13. That Plaintiff has suffered special damages in the form of lost wages, past, present and future, due to the negligence of the Defendants on February 16, 2021.

14. That Plaintiff was not negligent in any regard as it relates to the operation of her vehicle on February 16, 2021, at the time of the collision with your vehicle.

15. That defendant Timothy B. Estes was acting within the course and scope of his employment with E & E Transport as a driver, and agent at the time of the collision with Plaintiff on February 16, 2021.

16. That the USDOT has issued to you a motor carrier number.

17. That you utilize the USDOT number to deliver freight in Georgia.

18. That the negligence of Defendants Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, individually and as an Agent and Employee of E & E Transport, exceeds the negligence of any other legal person or entity for the collision on February 16, 2021.

19. That Plaintiff's personal injuries and damages are due solely to the collision and impact with Plaintiff's vehicle caused by Defendants' tractor and trailer commercial motor vehicle combination on February 16, 2021.

20. That you were required to comply with all provisions of the FMCSA regulations on February 16, 2021, as required by Georgia and Federal law.

RESPECTFULLY SUBMITTED,

**COUNSEL FOR PLAINTIFF
BRANDY PATRICE TIMPSON:**

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



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2/2/2023 5:10 PM
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IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

Civil Action No. 23-C-00759-S5

SENTRY SELECT INSURANCE)

COMPANY,)

a foreign motor carrier insurer,)

JURY TRIAL DEMANDED

TIMOTHY B. ESTES D/B/A)

E & E TRANSPORT,)

a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)

and as an Agent and Employee of)

E & E TRANSPORT,)

&)

JOHN OR JANE DOE)

INDIVIDUALS &)

ENTITIES (1-3),)

Defendants.)

PLAINTIFF'S FIRST INTERROGATORIES TO DEFENDANTS
TIMOTHY B. ESTES D/B/A E & E TRANSPORT & TIMOTHY B. ESTES,
INDIVIDUALLY AND AS AN AGENT AND EMPLOYEE OF E & E
TRANSPORT

COMES NOW Plaintiff and serves these interrogatories upon Defendants

TIMOTHY B. ESTES D/B/A E & E TRANSPORT and TIMOTHY B. ESTES,

Individually and as an Agent and Employee of E & E TRANSPORT and requests

that they be answered fully, in writing and under oath within thirty (33) days from the date of these requests or thirty (30) days from the receipt of service thereof, whichever is later, all in accordance with O.C.G.A. §§ 9-11-33 and 9-11-34.

Unless otherwise stated, each interrogatory contained herein is addressed to the knowledge and information of Defendants, as well as to the knowledge and information of Defendant's attorneys, investigators, agents, employees or other representatives. When a question or request is directed to the Defendant, the question is also directed to the aforementioned person(s).

DEFINITIONS

As used herein, the terms listed below are defined as follows:

1. **"Document"** means every writing, printing, record, graphic, photographic or sound reproduction of every type and description that has been in Defendant's possession, control or custody or of which it has knowledge, including but not limited to, correspondence, reports, meeting minutes, memoranda, stenographic or handwritten notes, diaries, notebooks, account books, orders, invoices, statements, bills, checks, vouchers, purchase orders, studies, surveys, charts, maps, analyses, publications, books, pamphlets, periodicals, catalogues, brochures, schedules, circulars, bulletins, notices, instructions, manuals, journals, e-mails, e-mail attachments, data sheets, work sheets, statistical compilations, data processing cards, microfilms,

computer records (including printouts, disks or other magnetic storage media), tapes, photographs (positive or negative prints), drawings, films, videotapes, pictures, and voice recordings. Plaintiff expressly intend for the term "Document" to include every copy of such writing, etc. when such copy contains any commentary or notation whatsoever that does not appear on the original and any attachments or exhibits to the requested document or any other documents referred to in the requested document or incorporated by reference.

2. **"Person"** means any natural person, corporation, partnership, proprietorship, association, organization, Transportation of persons, or any governmental body or subdivision thereof.
3.
 - (a) **"Identify"** with respect to any "person" or any reference to stating the "identity" of any "person" means to provide the name, home address, telephone number, business name, business address, and business telephone number of such person, and a description of each such person's connection with the events in question.
 - (b) **"Identify"** with respect wo any "document" or any reference to stating the "identification" of any "document means to provide the title and date of each such document, the name and address of the party or parties responsible for the preparation of each such document,

the name and address of the party who requested or required the preparation of the document or on whose behalf it was prepared, the name and address of the recipient or recipients of each such document, and the names and addresses of any and all persons who have custody or control of each such document, or copies thereof.

4. **“Subject Incident”** means events made the basis of the Complaint, including but not limited to the incident at issue on February 16, 2021 in Monroe County, Georgia.
5. **“You,” “Your” “E & E Transport” or “Defendants”** means Defendants Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, Individually and as an Agent & Employee of E & E Transport.
6. **“Insurer”** means “Sentry Select Insurance Company,” and any of their subsidiaries and affiliates, both domestic and foreign, or any of their agents, servants, and/ or employees.
7. **“Similar”** shall have the meaning given in the American Heritage Dictionary, which is “showing some resemblance; related in appearance or nature; alike but not identical.” As used here, the word “similar” shall not be limited as if modified by the word “substantially” and shall not mean “the same.” If you limited the information provided because you use another

interpretation of the word “similar,” please state the interpretation you are using and reveal the nature of the information withheld.

8. The terms “**and**” as well as “**or**” shall be each construed conjunctively and disjunctively as necessary to bring within the scope of each interrogatory and request for documents all information and documents that might otherwise be construed to be outside its scope. The term “**and/or**” shall be construed likewise.
9. Whenever necessary to bring within the scope of an interrogatory or request for production of documents any information or document that might otherwise be construed to be outside its scope: (i) the use of a verb in any tense shall be construed as the use of the verb in all other tenses; (ii) “**any**” includes “**all**,” and “**all**” includes “**any**.”
10. With regard to any term used herein that is deemed by the responding party as being ambiguous or vague, a term shall be construed in its broadest sense to encompass all reasonable definitions of that term.
11. With regard to any term used herein that is deemed by the responding party as being ambiguous or vague, a term shall be construed in its broadest sense to encompass all reasonable definitions of that term.
12. Each interrogatory shall be deemed continuing so as to require prompt supplemental responses, in accordance with O.C.G.A. § 9-11-26, if you

obtain or discover further documents responsive to the particular request between the time of responding to the request and the time of trial.

INTERROGATORIES

1. Please identify all liability, umbrella, and excess liability insurance policies and/or self-insured retention funds providing coverage to Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, Individually and as an Agent & Employee of E & E Transport named in this lawsuit for their trucking business for the period including February 16, 2021, and provide the following for each such policy:

- a. Name of the insurer, policy number, and coverage period;
- b. Liability limits and other information on the declarations page of any such insurance policy; and
- c. A complete copy of each policy including the MCS-90 Endorsement for each such policy.

2. Describe in detail how the incident described in the Complaint happened, including all actions taken by you to prevent the incident, and each document that exists which supports your statement as to how the collision occurred.

3. Describe in detail each act or omission on the part of any person or party to this lawsuit that you contend constituted negligence that was a contributing proximate cause of the incident in question.

4. State the facts upon which you rely for each affirmative defense pled in your answer.

5. Do you contend any person or entity other than you is, or may be, liable in whole or part for the claims asserted against you in this lawsuit? If so, please identify any third person or party that you contend is responsible, partially responsible, or jointly responsible with defendants.

6. Have you heard or do you know about any statement or remark made by or on behalf of any party to this lawsuit, other than yourself, concerning any issue in this lawsuit, whether oral or in writing? If so, state the name and address of each person who made the statement or statements, the name and address of each person who heard it, and the date, time, place and substance of each statement.

7. State the name and address of every person known to you, your agents, or your attorneys who has knowledge about, or possession, custody or control of, any document, model, plat, map, drawing, motion picture, video-tape or photograph pertaining to any fact or issue involved in this controversy; and

describe as to each, what item such person has, the name and address of the person who took or prepared it, and the date it was taken or prepared.

8. If any witness or party to the collision made any oral or written statement regarding the collision which is subject matter of this case, please identify with such particularity as you would require in a request for production of documents, the written statement, or quote the oral statement, as you answer to this interrogatory.

9. Please identify all experts you expect to call as witnesses on the trial of this case and furnish the information specified in the Georgia Civil Practice Act regarding the same, including, in detail, all facts, evidence and documents from this case he/she/it relied on, and a listing by alphanumeric number each opinion that each witness intends or experts to give at any trial of this case and in advance of he/she/it deposition and dispositive motion deadlines set by or expected by the Court. *See* O.C.G.A. § 9-11-26(b)(4).

10. Please describe the results of your FMCSA required investigation into the collision of February 16, 2021 that forms the basis of Plaintiff's Complaint, and the persons who conducted it.

11. Please identify the FEIN and legal name of any legal entities who issued W-2s, 1099s or payroll checks to Timothy B. Estes d/b/a E & E Transport and/or Timothy B. Estes for the period including February 16, 2021.

12. Do you contend or allege any mechanical defect in your vehicle caused or contributed to the collision with Plaintiff Brandy Patrice Timpson and the vehicle she was driving on February 16, 2021? If yes, please describe in detail the defects or mechanical problems with your vehicle.

13. Do you contend that any natural occurrence (weather, sunlight etc.) caused or contributed to the collision with Plaintiff Brandy Patrice Timpson? If yes, please describe in detail.

14. Do you contend that any health condition of Timothy B. Estes caused or contributed to the collision with Plaintiff Brandy Patrice Timpson? If yes, please describe in detail.

15. If you maintain that anyone other than a named Defendant has any responsibility of any kind for the Subject Incident of February 16, 2021, and/or for any of the damages alleged in the Plaintiff's Complaint, identify each such person and or entity, describe in detail the basis for their responsibility and identify all person(s) who have any knowledge regarding this issue.

16. Identify all licenses, permits and similar documents that authorize E & E Transport to operate in Georgia.

17. For each and every statement and report of which you are aware regarding the subject Incident of February 16, 2021, identify the individual who gave or made it, and all other individuals present when it was given or made, the

date given/made, the form (whether oral, written, recorded, etc.), the subject matter, and the name and address of each person who currently has the original and/or any copy of the statement or report.

18. Please identify all experts you expect to call as witnesses at the trial of this case and furnish the information, including the identity of all retained and non-retained experts, as required under O.C.G.A. § 9-11-26.

19. If you deny that you were acting within the scope of employment when this collision occurred on February 16, 2021, please explain in detail your contention and supporting evidence.

20. Have you made an agreement with anyone that would limit your liability to anyone for any of the damages sued upon in this case? If so, state the terms of the agreement and the parties to it.

21. In the past five (5) years, please state if you have ever been a party, either Plaintiff or Defendant in a lawsuit involving a motor vehicle collision other than the present matter, and, if so, state whether you were Plaintiff or Defendant, the nature of the action, and the state (or province) and court in which such suit was filed.

22. Please identify and provide the location of the driver's daily log and driver's multi-day log for Timothy B. Estes for the eight (8) days prior to the

incident of February 16, 2021, through the date of the collision described in the Complaint.

23. Please identify and provide the location of all incident reports filed with the Regional Motor Carrier Safety office of the Federal Highway Administration with regard to the collision of February 16, 2021 described in the Complaint.

24. For each collision involving any E & E Transport vehicle (owned or leased) and/or driver (company or leased) in the past five (5) years, provide the date, time, location and circumstances and identify all person involved.

25. Identify the persons responsible for overseeing, supervising, and responsible for the installation of computer hardware, EMC setup, telematics devices, and maintenance on Defendant's vehicles including on Defendant's tractors prior to February 16, 2021 and through the present date.

26. Please identify by name, last known address, email address and telephone number of all persons or entities that you contend have knowledge regarding any liability or damage issue, fact, or claim of the Plaintiff relating to the collision on February 16, 2021 and your defense of those claims of the Plaintiff.

27. Provide the full name, address, and telephone number of any legal person or entity that you provided trucking or motor carrier services for hire for during the period January 1, 2021 through December 31, 2021.

RESPECTFULLY SUBMITTED,

**COUNSEL FOR PLAINTIFF
BRANDY PATRICE TIMPSON:**

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



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STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

SENTRY SELECT INSURANCE)
COMPANY,)

a foreign motor carrier insurer,)

TIMOTHY B. ESTES D/B/A)
E & E TRANSPORT,)

a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)
and as an Agent and Employee of)
E & E TRANSPORT,)

&)

JOHN OR JANE DOE)
INDIVIDUALS &)
ENTITIES (1-3),)

Defendants.)

Civil Action No.
23-C-00759-S5

JURY TRIAL DEMANDED

PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
TO DEFENDANTS TIMOTHY B. ESTES D/B/A E & E TRANSPORT &
TIMOTHY B. ESTES, INDIVIDUALLY AND AS AN AGENT AND
EMPLOYEE OF E & E TRANSPORT

COMES NOW Plaintiff and serves these document production requests
upon Defendants TIMOTHY B. ESTES D/B/A E & E TRANSPORT and
TIMOTHY B. ESTES, Individually and as an Agent and Employee of E & E

TRANSPORT, and requests that they be answered fully, in writing and under oath within thirty (33) days from the date of these requests or thirty (30) days from the receipt of service thereof, whichever is later, all in accordance with O.C.G.A. § 9-11-33 and 9-11-34.

Unless otherwise stated, each document request contained herein is addressed to the knowledge and information of Defendants, as well as to the knowledge and information of Defendants' attorneys, investigators, agents, employees or other representatives. When a question or request is directed to the Defendant, the question is also directed to the aforementioned person(s).

DEFINITIONS

As used herein, the terms listed below are defined as follows:

1. **"Document"** means every writing, printing, record, graphic, photographic or sound reproduction of every type and description that has been in Defendant's possession, control or custody or of which is has knowledge including but not limited to, correspondence, reports, meeting minutes, memoranda, stenographic or handwritten notes, diaries, notebooks, account books, orders, invoices, statements, bills, checks, vouchers, purchase orders, studies, surveys, charts, maps, analyses, publications, books, pamphlets, periodicals, catalogues, brochures, schedules, circulars, bulletins, notices, instructions, manuals, journals, e-mails, e-mail attachments, data sheets,

work sheets, statistical compilations, data processing cards, microfilms, computer records (including printouts, disks or other magnetic storage media), tapes, photographs (positive or negative prints), drawings, films, videotapes, pictures, and voice recordings. Plaintiff expressly intend for the term "Document" to include every copy of such writing, etc. when such copy contains any commentary or notation whatsoever that does not appear on the original and any attachments or exhibits to the requested documents or any other documents referred to in the requested document or incorporated by reference.

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 - (b) **"Identify"** with respect to any "document" or any reference to stating the "identifications" of any "document" means to provide the title and date of each such document, the name and address of the

party or parties responsible for the preparation of each such document, the name and address of the party who requested or required the preparation of the document or on whose behalf it was prepared, the name and address of the recipient or recipients of each such document, and the names and addresses of any and all persons who have custody or control of each such document, or copies thereof.

4. **“Subject Incident”** means events made the basis of the Complaint, including but not limited to the incident at issue on February 16, 2021 in Monroe County, Georgia.
5. **You,” “Your”** **“E & E Transport”** or **“Defendants”** means Defendants Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, Individually and as an Agent & Employee of E & E Transport.
6. **“Insurer”** means “Sentry Select Insurance Company,” and any of their subsidiaries and affiliates, both domestic and foreign, or any of their agents, servants, and/ or employees.
7. **“Similar”** shall have the meaning given in the American Heritage Dictionary, which is “showing some resemblance; related in appearance or nature; alike but not identical.” As used here, the word “similar” shall not be limited as if modified by the word “substantially” and shall not mean “the same.” If you limited the information provided because you use another

interpretation of the word “similar,” please state the interpretation you are using and reveal the nature of the information withheld.

8. The terms “**and**” as well as “**or**” shall be each construed conjunctively and disjunctively as necessary to bring within the scope of each interrogatory and request for documents all information and documents that might otherwise be construed to be outside its scope. The term “**and/or**” shall be construed likewise.
9. Whenever necessary to bring within the scope of an interrogatory or request for production of documents any information or document that might otherwise be construed to be outside its scope: (i) the use of a verb in any tense shall be construed as the use of the verb in all other tenses; (ii) “**any**” includes “**all**,” and “**all**” includes “**any**.”
10. With regard to any term used herein that is deemed by the responding party as being ambiguous or vague, a term shall be construed in its broadest sense to encompass all reasonable definitions of that term.
11. With regard to any term used herein that is deemed by the responding party as being ambiguous or vague, a term shall be construed in its broadest sense to encompass all reasonable definitions of that term.
12. Each interrogatory shall be deemed continuing so as to require prompt supplemental responses, in accordance with O.C.G.A. § 9-11-26, if you

obtain or discover further documents responsive to the particular request between the time of responding to the request and the time of trial.

13. If you claim a privilege as a ground for not responding in whole or in part to any request, in your response to the request, you shall:
 - (a) Identify and describe each such document by date, author, and recipient;
 - (b) State the privilege or privileges asserted; and
 - (c) Describe the factual basis for the claim of privilege in sufficient detail so that the Court may adjudicate the validity of the claim.
14. If documents are produced by category, and if you consider that a document is described by more than one category, the document may be placed in any one such category describing the document.
15. **Please provide all electronic or computer files in their original unedited digital, computer, electronic medium file format (jpeg, tiff, .dwg, .cad, etc.) on a flash drive (thumb drive), DVD, etc. and Plaintiff will pay the cost to you for the DVD or flash drive. You can also download those items via Dropbox or other file sharing service and send an email link directly to counsel for Plaintiff.**

REQUEST FOR PRODUCTION OF DOCUMENTS

Defendants Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, Individually and as an Agent & Employee of E & E Transport are requested to produce the following:

1. Please produce a **COMPLETE CERTIFIED** copy of the insurance policy issued by Sentry Select Insurance Company, providing coverage to Defendants Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, Individually and as an Agent & Employee of E & E Transport on February 16, 2021, including the declarations pages, policy language, and any modifications or endorsements to that policy.
2. Please produce all documents, materials and/or things identified in your response to Plaintiff's First Interrogatories.
3. Please produce any photographs, diagrams, or documents evidencing the roadway, and/or any of the vehicles or persons involved in the incident of February 16, 2021, which forms the basis of Plaintiff's Complaint.
4. Please produce a copy of the pre-trip inspection checklist, or driver vehicle inspection report (DVR), prepared by Defendant Timothy B. Estes or input into any computer system for each of the eight (8) calendar days preceding the date of this collision, beginning on February 8, 2021 through the date of this collision on February 16, 2021.

5. Please produce a copy of all sign in sheets, fuel records, payroll records, or other written or electronic records for Defendants Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, Individually and as an Agent & Employee of E & E Transport for each day during the period of February 8, 2021 through February 16, 2021.

6. Please produce a copy of the credit card slips, or other fuel receipts for pre-trip or other IFTA fuel tax receipts for Defendants for all days beginning February 8, 2021 through February 16, 2021.

7. Please produce a copy of the bill of lading, shipping invoices, and other cargo accounting receipts for any cargo or freight transported by you for the period beginning February 8, 2021 through February 16, 2021.

8. Please produce a copy of your paper and/or electronic trucking logs for each day beginning February 8, 2021 through February 16, 2021, including all telematics position data printouts, messaging records, and all hard brake, trip or event files and printouts for telematics relating to this collision.

9. Please produce a complete copy of weigh scale sheets or other truck inspection records reflecting weights of the vehicles driven by Defendant Timothy B. Estes at any time during the period of February 8, 2021 through February 16, 2021.

10. Please produce a copy of the paper or paperless logs generated for input by you for the period beginning July 1, 2020 through February 16, 2021, captured or input by you into the telematics devices and system, and maintained or kept by you as part of your accounting, shipping, and trucking records for billing, accounting or any other internal use or purpose.

11. Please produce a complete copy of all documents, photographs (including original jpeg or digital media format copies), audio or video files in their original format and any modifications thereto, CAD files, drawing files, data files from any 3D laser system or surveying system, ECM reports, SCRT or GSP Reports, Brady files produced by any prosecutor or solicitor to you, GBI Files, emails, documents, or other documents in your possession relating to this case and any defense of this case. (Please produce a privilege log for all such documents withheld or excluded as required by the U.S.C.R. as adopted by the Georgia Supreme Court).

12. Please produce a copy of any document, photograph, report or other item, material, or thing provided to you by any witness or third party that is not privileged. (Please produce a privilege log for all such documents withheld or excluded as required by the U.S.C.R. as adopted by the Georgia Supreme Court).

13. Please produce a copy of all documentation, medical records, long form medical exam form and report, or other papers reflecting the physical

examination of Timothy B. Estes, as required by the U.S. Department of Transportation and the Federal Motor Carrier Safety Administration (FMCSA).

14. Please produce a copy of any investigation report for the subject incident required to be performed under the U.S. Department of Transportation regulations or the Federal Motor Carrier Safety Administration (FMCSA) Regulations, and any response from it or the FMCSA.

15. Please produce any photographs, videos, maps, plats, drawings or other representations of any kind which depict in any form or fashion, completely or partially, the roadway involved in this matter, any of the vehicles involved in this matter, any of the witnesses or parties involved in this incident or any other matter relevant to this case.

16. Please produce copies of all DOT audits of E & E Transport, in the last seven (7) years.

17. Please produce all registration or leasing documents on the commercial motor vehicle combination involved in the subject incident of February 16, 2021.

18. Please produce a copy of the record made by any recording device if the vehicle was equipped with any type of recording device for recording speed, time and/or engine revolutions per minute for February 16, 2021, or any tracking

device that records speed or location or from which speed or location could be derived.

19. Please produce the following concerning your travel on the date of this incident, February 16, 2021:

- a. field receipts from all depots or load locations;
- b. guard gate logs from terminals or load locations reflecting arrival and departure and any and all other information concerning your driver's travel during the ninety-six (96) hours prior to and through the time of the subject collision;
- c. scale ticket for February 16, 2021;
- d. gas, credit card, and/or debit card receipts.

20. Please produce a copy of all reports, documents, or materials you have obtained from governmental or law enforcement entities concerning the subject matter of the collision in question.

21. Please produce all documents or things reflecting any investigation of Plaintiff or surveillance of Plaintiff.

22. Please produce all maintenance and repair records concerning the tractor that was involved in the subject collision on February 16, 2021.

23. A copy of the jpegs or other digital medium and color photographs of your tractor involved in the subject collision of February 16, 2021.

24. Please produce a copy of the bill of lading and all documentation required to be kept by defendants for the loads that you were hauling on February 16, 2021. See 49 CFR § 373.101 et seq.

25. Please produce a printout of the documents in your possession or on your computer systems showing all routes traveled and loads hauled by you in the eight-day period preceding the collision on February 16, 2021.

26. Please produce a complete copy of all materials sent by you or received from any expert, relating to the collision on February 16, 2021.

27. Please produce a copy of the user manual for any telematics unit installed in your tractor at the time of the subject collision on February 16, 2021.

28. Please produce a complete copy of all maintenance records for the tractor, telematics unit, and other equipment installed on your tractor that was involved in the subject collision in defendant's possession or available to it through its vendors or truck repair companies, at any time prior to the date of the collision on February 16, 2021 through the present date.

29. Please produce a complete copy of the satellite, wi-fi, or cellular communications data printouts and downloads reflecting all travel or trips by you in the 30 days preceding February 16, 2021.

30. Please produce a copy of the planned or dispatch route that you were traveling on February 16, 2021 at the time of the collision.

31. Please produce a copy of all incident reports in which Defendant Timothy B. Estes has been involved as a professional truck driver in the seven-year period preceding February 16, 2021 and through the present date.

32. Please produce all photographs taken of your tractor, its interior, and documents or objects therein; measurements of that vehicle or damage to it; and other evidence you or your hired or retained experts obtained from that vehicle.

33. Please produce a complete copy of any driver, tractor, and trailer lease agreement between you and any person for the load you were hauling at the time of the subject collision.

34. Please produce a complete copy of all ECM settings or setup, including speed governing inputs, if any, for the tractor that you were operating on February 16, 2021.

35. Please produce a complete copy of any written, audio, or video recorded statements from any witness or party in this matter.

36. Please produce a copy of all licenses, permits, and similar documents that authorize you to operate in Georgia.

37. Please produce a copy of each and every statement and report of which you are aware regarding the subject incident of February 16, 2021, and/or any other issues addressed in Plaintiff's Complaint or any Defendant's Answer. The copies should identify the individual who gave or made the statement/report,

and all other individuals present when it was given or made; the date given/made; the subject matter; and the name and address of each person who currently has the original and/or any copy of the statement or report.

38. Please produce a complete copy of all computer files, photographs, diagrams, or other documents or evidence in your possession, custody, or control prepared or made on your behalf by any expert you have retained for this case. *See* O.C.G.A. § 9-11-26.

39. Please produce a complete copy of the personal umbrella policies issued to you, providing coverage for the period including February 16, 2021.

40. Please produce a copy of all Driver Vehicle Inspection Reports for the 30 days prior to the collision on February 16, 2021 showing all mechanical defects, deficiencies or problems on your tractor as required by the FMCSA regulations.

41. Please produce a copy of your MCS-150 filed with the FMCSA for the year 2020.

42. Please produce a certified copy of the post-incident drug and alcohol test results required to be administered to Timothy B. Estes following the collision in this case as required by the FMCSA regulations.

43. Please produce a copy of all written statements you have provided in this case to your insurer.

44. Please produce a complete CERTIFIED copy of all policies of insurance issued to you providing coverage for the period including February 16, 2021, to include automobile, trucking or commercial motor vehicle policies, umbrella, excess policies, or self-insurance fund, plan or trust on file with the insurance commissioner's office of any state in the United States. (If you identify a self-insurance plan, trust, or fund that is qualified with any state's insurance commissioner, please provide its last filing with the State Insurance Commissioner, and its Federal Tax Identification Number).

45. Please produce a complete copy of your two most recent safety audits with the FMCSA or USDOT for your motor carrier operations, including the period February 16, 2021.

46. Please produce a copy of your commercial motor vehicle accident register or log required to be kept by the FMCSA for your commercial motor vehicle operations.

47. Please produce a complete copy of any and all materials, including jpegs or other digital medium format, CAD files, drawing or dwg. files in CAD or other drawing program, diagram, animations, recreations, simulations, or other demonstrative depiction of this incident, measurements, total station, laser scanning, GPS, digital 3D photogrammetry, or other digital reconstruction of this collision in your possession or available to you from any expert you retained or

consulted with regarding the collision in this case, that you either provided to your expert or that he, she or it provided to you. Please provide those items in their original unedited digital, computer, electronic medium format on a flash drive (thumb drive), DVD, etc. and Plaintiff will pay for the cost of the DVD or flash drive.

48. Please produce printouts of any diagram, maps, models, etc. of the collision in your possession for this case.

49. Please produce a copy of all invoices, bills of lading, and proof or form of payment to you for trucking or motor carrier services for hire you provided to any legal person or entity for the period January 1, 2021 through December 31, 2022.

50. Please produce a copy of the bill of lading, shipping invoice, or other trucking or motor carrier for hire instruction in your tractor or kept elsewhere on February 16, 2021 at the time of the collision with the vehicle operated by Brandy Patrice Timpson showing where you picked up and delivered freight to on February 16, 2021 and where you were going to at the time of the collision on February 16, 2021.

51. Please produce a complete copy of any motor vehicle policy, umbrella policy, or excess policy issued by any insurer providing coverage to you for providing trucking or motor carrier for hire services on February 16, 2021.

52. Please produce a copy of any report of collision you made or reported to the U.S. DOT or Federal Motor Carrier Safety Administration for the collision that occurred on February 16, 2021 in Monroe County, Georgia that resulted in injury, and the towing of vehicles from the scene of that collision.

53. All documents that you receive in response to your Requests for Production of Documents to third parties and non-parties in this litigation.

RESPECTFULLY SUBMITTED,

COUNSEL FOR PLAINTIFF
BRANDY PATRICE TIMPSON:

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



"We Know Trucks"
www.terryjacksonlaw.com

TERRY D. JACKSON, P.C.
600 Edgewood Avenue
Atlanta, Georgia 30312
(404) 216-5312 cell
(404) 659-2400 office
(404) 659-2414 fax
terry@terryjacksonlaw.com

E-FILED IN OFFICE - RJ
CLERK OF STATE COURT
GWINNETT COUNTY, GEORGIA
23-C-00759-S5
2/6/2023 10:00 AM
TIANA P. GARNER, CLERK

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)
)
Plaintiff,)
)
v.)
)
SENTRY SELECT INSURANCE)
COMPANY,)
a foreign motor carrier insurer,)
)
TIMOTHY B. ESTES D/B/A)
E & E TRANSPORT,)
a foreign motor carrier for hire,)
)
TIMOTHY B. ESTES, individually)
and as an Agent and Employee of)
E & E TRANSPORT,)
)
&)
)
JOHN OR JANE DOE)
INDIVIDUALS &)
ENTITIES (1-3),)
)
Defendants.)

Civil Action No. 23-C-00759-S5

JURY TRIAL DEMANDED

AFFIDAVIT OF SERVICE OF JEROY ROBINSON

COMES NOW Jeroy Robinson, a United States citizen and over the age of 18 years, before the undersigned officer duly authorized to administer oaths, and, being sworn on oath, deposes and states as follows:

1. On February 3, 2023 at approximately 2:45 p.m., I served a copy of the following items:


- A. Summons;
- B. Complaint for Damages;
- C. Motion for Appointment of Private Process Server and proposed Order; and
- D. Discovery
 - 1) Plaintiff's First Request for Admissions to Defendant Sentry Select Insurance Company;
 - 2) Plaintiff's First Interrogatories to Defendant Sentry Select Insurance Company;
 - 3) Plaintiff's First Request for Production of Documents to Defendant Sentry Select Insurance Company;
 - 4) Plaintiff's First Request for Admissions to Defendants Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, Individually and as an Agent & Employee of E & E Transport;
 - 5) Plaintiff's First Interrogatories to Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, Individually and as an Agent & Employee of E & E Transport;
 - 6) Plaintiff's First Request for Production of Documents to Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, Individually and as an Agent & Employee of E & E Transport;
 - 7) Plaintiff's First Request for Admissions to State Farm Mutual Automobile Insurance Company;
 - 8) Plaintiff's First Interrogatories to State Farm Mutual Automobile Insurance Company; and
 - 9) Plaintiff's First Request for Production of Documents to State Farm Mutual Automobile Insurance Company

in the above-styled matter to defendant Sentry Select Insurance Company at the following address:

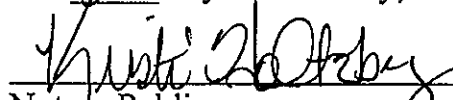
Sentry Select Insurance Company
C/O C T Corporation System, Registered Agent
289 South Culver Street
Lawrenceville, GA 30046-4805

2. Said documents were served by handing the same **personally** to Linda Banks, who accepted those documents on behalf of C T Corporation System and Sentry Select Insurance Company at that address.

FURTHER AFFIANT SAITH NOT.


Jeroy Robinson

Sworn to and subscribed before me
this 3rd day of February, 2023.


Notary Public
My Commission Expires: 10/11/2026



IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)
)
Plaintiff,)
)
v.)
)
SENTRY SELECT INSURANCE)
COMPANY,)
a foreign motor carrier insurer,)
)
TIMOTHY B. ESTES D/B/A)
E & E TRANSPORT,)
a foreign motor carrier for hire,)
)
TIMOTHY B. ESTES, individually)
and as an Agent and Employee of)
E & E TRANSPORT,)
)
&)
)
JOHN OR JANE DOE)
INDIVIDUALS &)
ENTITIES (1-3),)
)
Defendants.)

Civil Action No. 23-C-00759-S5

JURY TRIAL DEMANDED

AFFIDAVIT OF SERVICE OF JEROY ROBINSON

COMES NOW Jeroy Robinson, a United States citizen and over the age of
18 years, before the undersigned officer duly authorized to administer oaths, and,
being sworn on oath, deposes and states as follows:

1. On February 3, 2023 at approximately 1:50 p.m., I served a copy of
the following items:


- A. Summons;
- B. Complaint for Damages;
- C. Motion for Appointment of Private Process Server and proposed Order; and
- D. Discovery
 - 1) Plaintiff's First Request for Admissions to Defendant Sentry Select Insurance Company;
 - 2) Plaintiff's First Interrogatories to Defendant Sentry Select Insurance Company;
 - 3) Plaintiff's First Request for Production of Documents to Defendant Sentry Select Insurance Company;
 - 4) Plaintiff's First Request for Admissions to Defendants Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, Individually and as an Agent & Employee of E & E Transport;
 - 5) Plaintiff's First Interrogatories to Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, Individually and as an Agent & Employee of E & E Transport;
 - 6) Plaintiff's First Request for Production of Documents to Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, Individually and as an Agent & Employee of E & E Transport;
 - 7) Plaintiff's First Request for Admissions to State Farm Mutual Automobile Insurance Company;
 - 8) Plaintiff's First Interrogatories to State Farm Mutual Automobile Insurance Company; and
 - 9) Plaintiff's First Request for Production of Documents to State Farm Mutual Automobile Insurance Company

in the above-styled matter to defendant State Farm Mutual Automobile Insurance Company at the following address:

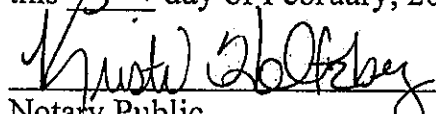
State Farm Mutual Automobile Insurance Company
C/O Corporation Service Company, Registered Agent
2 Sun Court, Suite 400
Peachtree Corners, GA 30092

2. Said documents were served by handing the same **personally** to Aleshia Smith, who accepted those documents on behalf of Corporation Service Company and State Farm Mutual Automobile Insurance Company at that address.

FURTHER AFFIANT SAITH NOT.


Jeroy Robinson

Sworn to and subscribed before me
this 3rd day of February, 2023.


Notary Public
My Commission Expires: 10/11/2026



IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

SENTRY SELECT INSURANCE)
COMPANY,)

a foreign motor carrier insurer,)

TIMOTHY B. ESTES D/B/A)

E & E TRANSPORT,)

a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)
and as an Agent and Employee of)
E & E TRANSPORT,)

&)

JOHN OR JANE DOE)

INDIVIDUALS &)

ENTITIES (1-3),)

Defendants.)

Civil Action No. 23-C-00759-S5

JURY TRIAL DEMANDED

NOTICE OF FILING AFFIDAVITS OF SERVICE

COMES NOW Plaintiff and files the following Affidavits of Service:

1. Affidavit of Service of Jeroy Robinson for service on Sentry Select

Insurance Company on February 3, 2023; and

2. Affidavit of Service of Jeroy Robinson for service on State Farm Mutual Automobile Insurance Company, on February 3, 2023.

Attached hereto at Exhibit 1 is the Order of Appointment for Mr. Robinson.

Dated: February 6, 2023.

RESPECTFULLY SUBMITTED,

**COUNSEL FOR PLAINTIFF
BRANDY TIMPSON:**

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



"We Know Trucks"
www.terryjacksonlaw.com

TERRY D. JACKSON, P.C.
600 Edgewood Avenue
Atlanta, Georgia 30312
(404) 216-5312 cell
(404) 659-2400 office
(404) 659-2414 fax
terry@terryjacksonlaw.com

EXHIBIT 1

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

IN RE: Permanent Process Servers

Case Number:

23 C-00081-1

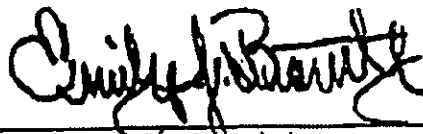
FILED IN CHIEF
CLERK STATE COURT
GWINNETT COUNTY GA
2023 JAN 13 PM 1:39
JANA D. GARNER, CLERK

ORDER OF APPOINTMENT

The application of the undersigned permanent process server having been read and considered, said applicant is hereby appointed permanent process server of this court pursuant to O.C.G.A. § 9-11-4(c), from the date of this order up to and including January 4, 2024.

This order allows the applicant to serve as a process server in Gwinnett County State Court matters only, on an annual renewable basis.

SO ORDERED this 12th day of January, 2023.



Presiding Judge
Gwinnett County State Court

Applicant:

Name

JEROY ROBINSON

Address

105 EVER PL. Apt # 400
 Fayetteville GA 30214

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

Civil Action No. 23-C-00759-S5

SENTRY SELECT INSURANCE)

COMPANY,)

a foreign motor carrier insurer,)

JURY TRIAL DEMANDED

TIMOTHY B. ESTES D/B/A)

E & E TRANSPORT,)

a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)

and as an Agent and Employee of)

E & E TRANSPORT,)

&)

JOHN OR JANE DOE)

INDIVIDUALS &)

ENTITIES (1-3),)

Defendants.)

CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the within and foregoing **NOTICE OF FILING AFFIDAVITS OF SERVICE** upon the parties by placing same in a properly addressed envelope with adequate postage affixed thereon via First Class U.S. Mail, e-filing, or by hand delivery as directed by the Court to:

Sentry Select Insurance Company
C/O C T Corporation System, Registered Agent
289 South Culver Street
Lawrenceville, GA 30046-4805

Timothy B. Estes d/b/a E & E Transport
Timothy B. Estes
595 Cricklewood Drive
Lexington, KY 40505

State Farm Mutual Automobile Insurance Company
C/O Corporation Service Company, Registered Agent
2 Sun Court, Suite 400
Peachtree Corners, GA 30092

Dated: February 6, 2023.

RESPECTFULLY SUBMITTED,

**COUNSEL FOR PLAINTIFF
BRANDY TIMPSON:**

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



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(404) 659-2414 fax
terry@terryjacksonlaw.com

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)

Plaintiff,)

v.)

Civil Action No. 23-C-00759-S5

SENTRY SELECT INSURANCE)
COMPANY,)

a foreign motor carrier insurer,)

JURY TRIAL DEMANDED

TIMOTHY B. ESTES D/B/A)

E & E TRANSPORT,)

a foreign motor carrier for hire,)

TIMOTHY B. ESTES, individually)
and as an Agent and Employee of)
E & E TRANSPORT,)

&)

JOHN OR JANE DOE)
INDIVIDUALS &)
ENTITIES (1-3),)

Defendants.)

NOTICE OF FILING AFFIDAVITS OF SERVICE

COMES NOW Plaintiff and files the following Affidavits of Service:

1. Affidavit of Service of Amy Thurman for service on Timothy B. Estes
on February 8, 2023; and

2. Affidavit of Service of Amy Thurman for service on Timothy B. Estes
d/b/a E&E Transport, on February 8, 2023.

Dated: February 16, 2023.

RESPECTFULLY SUBMITTED,

**COUNSEL FOR PLAINTIFF
BRANDY TIMPSON:**

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



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(404) 659-2400 office
(404) 659-2414 fax
terry@terryjacksonlaw.com

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,

Plaintiff,

v.

SENTRY SELECT INSURANCE
COMPANY,

a foreign motor carrier insurer,

TIMOTHY B. ESTES D/B/A

E & E TRANSPORT,

a foreign motor carrier for hire,

TIMOTHY B. ESTES, individually

and as an Agent and Employee of

E & E TRANSPORT,

&

JOHN OR JANE DOE

INDIVIDUALS &

ENTITIES (1-3),

Defendants.

Civil Action No. 23-C-00759-S5

JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the within and foregoing **NOTICE OF FILING AFFIDAVITS OF SERVICE** upon the parties by placing same in a properly addressed envelope with adequate postage affixed thereon via First Class U.S. Mail, e-filing, or by hand delivery as directed by the Court to:

Sentry Select Insurance Company
C/O C T Corporation System, Registered Agent
289 South Culver Street
Lawrenceville, GA 30046-4805

Timothy B. Estes d/b/a E & E Transport
Timothy B. Estes
595 Cricklewood Drive
Lexington, KY 40505

State Farm Mutual Automobile Insurance Company
C/O Corporation Service Company, Registered Agent
2 Sun Court, Suite 400
Peachtree Corners, GA 30092

Dated: February 16, 2023.

RESPECTFULLY SUBMITTED,

**COUNSEL FOR PLAINTIFF
BRANDY TIMPSON:**

By: /s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



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(404) 659-2400 office
(404) 659-2414 fax
terry@terryjacksonlaw.com

E-FILED IN OFFICE - RJ
CLERK OF STATE COURT
GWINNETT COUNTY, GEORGIA
23-C-00759-S5
2/16/2023 2:01 PM
TIANA P. GARNER, CLERK

AFFIDAVIT OF SERVICE**State of Georgia****County of Gwinnett****State Court**

Case Number: 23-C-00759-S5

Plaintiff: Brandy Patrice Timpson

vs.

Defendant: Sentry Select Insurance Company, et al

For:

Terry D. Jackson

Terry D. Jackson, P.C.

600 Edgewood Avenue

Atlanta, GA 30312

Received by Greentree Legal on the 3rd day of February, 2023 at 11:37 am to be served on Timothy B. Estes d/b/a E & E Transport, 595 Cricklewood Drive, Lexington, KY 40505.

I, Amy Thurman, being duly sworn, depose and say that on the 8th day of February, 2023 at 8:20 pm, I:

SUBSTITUTE served a SUITABLE AGE PERSON by delivering a true copy of the Summons, General Civil and Domestic Relations Case Filing Information Form, Complaint for Damages, Motion for Appointment of Private Process Server, Affidavit of Amy Thurman in Support of Appointment Private Process Server, Affidavit of Counsel for Appointment of Private Process Server Amy Thurman, Order, Plaintiff's First Requests for Admissions to Defendant Sentry Select Insurance Company, Plaintiff's First Interrogatories to Defendant Sentry Select Insurance Company, Plaintiff's First Request for Production of Documents to Defendant Sentry Select Insurance Company, Plaintiff's First Requests for Admissions to Defendants Timothy B. Estes D/B/A E & E Transport & Timothy B. Estes, Individually and as an Agent and Employee of E & E Transport, Plaintiff's First Interrogatories to Defendants Timothy B. Estes D/B/A E & E Transport & Timothy B. Estes, Individually and as Agent and Employee of E & E Transport, Plaintiff's First Request for Production of Documents to Defendants Timothy B. Estes D/B/A E & E Transport & Timothy B. Estes, Individually and As an Agent and Employee of E & E Transport, Plaintiff's First Request for Admissions to State Farm Mutual Automobile Insurance Company, Plaintiff's First Interrogatories to State Farm Mutual Automobile Insurance Company, Plaintiff's First Request for Production of Documents to State Farm Mutual Automobile Insurance Company to: Jeff Estes as Resident at the address of: 595 Cricklewood Drive, Lexington, KY 40505, the within named person's usual place of Abode, who resides therein, who is Eighteen (18) years of age or older and informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 65, Sex: M, Race/Skin Color: White, Height: 5'9", Weight: 200, Hair: Gray, Glasses: Y

I certify that I am over the age of 18, have no interest in the above action, and am in good standing in the judicial circuit in which the process was served.

Sworn to and subscribed in my presence this
14th day of February, 2023


NOTARY PUBLIC




Amy Thurman
Process Server

Greentree Legal
10925 Reed Hartman Highway
Suite 300
Cincinnati, OH 45242
(513) 891-8600

Our Job Serial Number: GRT-2023001394
Ref: 23-C-00759-S5

E-FILED IN OFFICE - RJ
CLERK OF STATE COURT
GWINNETT COUNTY, GEORGIA
23-C-00759-S5
2/16/2023 2:01 PM
TIANA P. GARNER, CLERK

AFFIDAVIT OF SERVICE

State of Georgia

County of Gwinnett

State Court

Case Number: 23-C-00759-S5

Plaintiff: Brandy Patrice Timpson

vs.

Defendant: Sentry Select Insurance Company, et al

For:

Terry D. Jackson

Terry D. Jackson, P.C.

600 Edgewood Avenue

Atlanta, GA 30312

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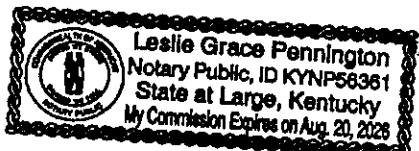
Sworn to and subscribed in my presence this
14th day of February, 2023

[Signature]
NOTARY PUBLIC

[Signature]
Amy Thurman
Process Server

Greentree Legal
10925 Reed Hartman Highway
Suite 300
Cincinnati, OH 45242
(513) 891-8600

Our Job Serial Number: GRT-2023001391
Ref: 23-C-00759-S5



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NOTICE OF LEAVE OF ABSENCE
PURSUANT TO UNIFORM SUPERIOR COURT RULE 16

TO: All Judges, Clerks of Court and Counsel of Record

FROM: Terry D. Jackson

RE: Notice of Leave of Absence

DATE: February 21, 2023

COMES NOW, TERRY D. JACKSON, and respectfully notifies all Judges before whom he has cases pending, all affected Clerks of Court, and all opposing counsel, that he will be on leave pursuant to Georgia Uniform Court Rule 16:

1. The periods of leave during which time applicant will be away from the practice of law will be:

Dates:

April 7-14, 2023

August 25 – September 7, 2023

Reason:

Family Vacation

Family Vacation

2. Applicant hereby certifies that to Applicant's knowledge, the cases shown on Exhibit "A" attached hereto are not on a published calendar and are not noticed for a hearing during the period of the leave of absence.
3. This notice is substantially in compliance with Rule 16.4.
4. All affected judges and opposing counsel shall have ten days from the date of this Notice to object to it. If no objections are filed or action is taken by the Court denying leave, the leave shall be granted pursuant to Rule 16, without an entry or an Order.

Dated: February 21, 2023.

RESPECTFULLY SUBMITTED,

By: s/ Terry D. Jackson
TERRY D. JACKSON
Georgia Bar No. 386033



"We Know Trucks"
www.terryjacksonlaw.com

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Atlanta, Georgia 30312
(404) 216-5312 cell
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terry@terryjacksonlaw.com

EXHIBIT A

NAME / CASE NUMBER	COURT PENDING / JUDGE	OPPOSING COUNSEL
Allred v. Clark 21A05602	DeKalb County State Court Judge Ana Maria Martinez	<p>Anne Thomas Lynn Leonard & Associates 2400 Century Parkway Suite 200 Atlanta, GA 30345 anne.thomas@statefarm.com <i>Counsel for State Farm Mutual Automobile Insurance Company</i></p> <p>R. Christopher Harrison Savannah L. Bray Downey & Cleveland, LLP 288 Washington Avenue Marietta, GA 30060 Harrison@downeycleveland.com bray@downeycleveland.com <i>Counsel for Progressive County Mutual Insurance Company</i></p> <p>Thomas E. Brennan Robert M. Hoyland Fain Major & Brennan, P.C. One Premier Plaza 5605 Glenridge Drive, NE Suite 900 Atlanta, GA 30342 tbrennan@fainmajor.com rhoyland@fainmajor.com <i>Counsel for Imani Saidah Clark</i></p>
Barron v. Smith 2021CV00102	Clayton County State Court Judge Tammi Hayward	<p>G. Lee Welborn Downey & Cleveland, LLP 288 Washington Avenue Marietta, GA 30060-1979 welborn@downeycleveland.com <i>Counsel for Nadia Smith</i></p> <p>Allison Shear Law Offices of J. Andrews Williams 2970 Clairmont Road NE, Suite 600 Brookhaven, GA 30329 BLOOMA3@nationwide.com</p>

		<i>Counsel for Nationwide</i>
Kerby Grading, Inc. v. Harrington Insurance Agency, Inc., et al. 09-C-14743-S6	Gwinnett County State Court Judge Veronica Cope	Gary M. Cooper Law Office of Gary M. Cooper 442 S. Hansell Street Thomasville, GA 31792 garymcooper@yahoo.com <i>Counsel for Kerby Grading, Inc.</i> Russell A. Britt Hall Booth Smith PC 191 Peachtree Street NE, Suite 2900 Atlanta, GA 30303-1775 rbritt@hallboothsmith.com <i>Counsel for Harrington Defendants</i>
Bloodworth v. Alemu 19A78017	DeKalb County State Court Judge Ana Maria Martinez	John E. Searcy, Jr. Gower Wooten & Darneille, LLC 166 Commerce Street, Suite 300 Montgomery, AL 36104 jsearcy@gwdlawfirm.com <i>Counsel for Endale Alemu</i>
Clark v. Friedland, et al. 20EV005603	Fulton County State Court Judge Eric A. Richardson	Scott D. Huray Austin M. Hiffa Lewis Brisbois Bisgaard & Smith, LLP 600 Peachtree Street NE, Suite 4700 Atlanta, GA 30308 Scott.huray@lewisbrisbois.com Austin.Hiffa@lewisbrisbois.com <i>Counsel for Defendant Dean Friedland</i> Travis J. Meyer Steven R. Wilson Waldon Adelman Castilla Hiestand & Prout 900 Circle 75 Parkway, Suite 1040 Atlanta, GA 30339 TMeyer@WACHP.com swilson@wachp.com <i>Counsel for Defendant Christopher Chin</i> Joseph J. Angersola Rachel W. Mathews SWIFT, CURRIE, Mcghee & HIERS, LLP 1420 Peachtree Street, N.E. Suite 800 Atlanta, GA 30309 joseph.angersola@swiftcurrie.com Rachel.mathews@swiftcurrie.com

<p>Clerkley v. Lowe's Home Centers, LLC, et al. 21-C-06996-S3</p>	<p>Gwinnett County State Court Judge Carla E. Brown</p>	<p><i>Counsel for Defendant Joshua McAfee</i></p> <p>Cody M. McCollum Jordan Alexis Fox Vernis & Bowling of Atlanta, LLC 30 Perimeter Park Drive, Suite 200 Atlanta, Georgia 30341 CMcCollum@georgia-law.com JFox@georgia-law.com <i>Counsel for Lowe's Home Centers, LLC (NC) and Lowe's Home Centers, Inc.</i></p> <p>Kwende B. Jones Bret A. Beldt Burr & Forman LLP 171 Seventeenth Street, N.W., Suite 1100 Atlanta, GA 30363 kbjones@burr.com bbeldt@burr.com <i>Counsel for Lowe's Home Centers, LLC (NC)</i></p> <p>Jennifer M. Busby Burr & Forman LLP 420 North 20th Street, Suite 3400 Birmingham, AL 35203 gbusby@burr.com <i>Counsel for Lowe's Home Centers, LLC (NC)</i></p> <p>Kevin Reardon Casey J. Brown Waldon Adelman Castilla Hiestand & Prout 900 Circle 75 Parkway, Suite 1040 Atlanta, GA 30339 kreardon@wachp.com cbrown@wachp.com <i>Counsel for State Farm Mutual Automobile Insurance Company</i></p>
<p>Samayoa, et al. v. Travlers Indemnity Company, et al. 17-C-04814-S6</p>	<p>Gwinnett County State Court Judge Veronica Cope</p>	<p>Scott Moulton Paul B. Trainor Hall Booth Smith PC 191 Peachtree Street NE, Suite 2900 Atlanta, GA 30303 smoulton@hallboothsmith.com ptrainor@hallboothsmith.com <i>Counsel for Tribe Express, Inc., Keith E. Henderson & The Travelers Indemnity Company of Connecticut</i></p>

<p>Herrera v. Employers Mutual Casualty Company, et al. 19CV69025</p>	<p>Gordon County Superior Court Judge Rosemary Greene</p>	<p>Scott J. Forster The Law Offices of Scott J. Forster 417 North Wall Street Calhoun, GA 30703 scofors@aol.com <i>Co-Counsel for Plaintiff</i></p> <p>Andrew Lampros HALL & LAMPROS, LLP 400 Galleria Pkwy Suite 1150 Atlanta, GA 30339 alampros@hallandlampros.com <i>Co-Counsel for Plaintiff</i></p> <p>Philip W. Savrin Jessica C. Samford Mallory D. Ball M. Cole Walker Freeman Mathis & Gary LLP 100 Galleria Parkway, Suite 1600 Atlanta, GA 30339-5948 psavrin@fmglaw.com mball@fmglaw.com jsamford@fmglaw.com Cole.walker@fmglaw.com <i>Counsel for Employers Mutual Casualty Company</i></p> <p>Amanda Matthews Jessica A. Seares Nall & Miller, LLP Peachtree Center, North Tower 235 Peachtree Center NE, Suite 1500 Atlanta, GA 30303 amathews@nallmiller.com jseares@nallmiller.com</p> <p>Matthew D. Friedlander Webb Daniel Friedlander LLP 1201 W. Peachtree St NW, 23rd Floor Atlanta, GA 30309</p>
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<p>Farmer v. Uber Technologies (GA), Inc., et al. 21-C-02637-S7</p>	<p>Gwinnett County State Court Judge Jaletta L. Smith</p>	<p>Gene A. Major Joel R. Cope Fain, Major & Brennan, P.C. One Premier Plaza 5605 Glenridge Drive, Suite 900 Atlanta, GA 30342 gmajor@fainmajor.com jcope@fainmajor.com <i>Counsel for Defendant Terrance Marquice Tibbs</i></p> <p>Thomas E. Brennan Fain, Major & Brennan, P.C. 505 Glenridge Drive NE, Suite 900 Atlanta, Georgia 30342 tbrennan@fainmajor.com <i>Counsel for Hertz Defendants</i></p> <p>Walter J. Bibbins, Jr. Andrew H. Tyner Hall Booth Smith, P.C. 191 Peachtree Street, NE, Suite 2900 Atlanta, Georgia 30303 wbibbins@hallboothsmith.com atyner@hallboothsmith.com <i>Counsel for Defendant 767 Auto Leasing, LLC</i></p> <p>Kimberly D. Stevens Hawkins Parnell & Young LLP 303 Peachtree Street NE, Suite 4000 Atlanta, GA 30308-3243 kstevens@hpylaw.com <i>Counsel for Uber Technologies, Inc., Uber USA, LLC, and the Rasier Defendants</i></p>

<p>Galamore v. MUY Pizza Southeast, LLC, et al. 18-A-2655</p>	<p>Cobb County State Court Judge Maria B. Golick</p>	<p>Glenn S. Bass Jane C. Taylor Scrudder, Bass, Quillian, Horlock, Tayor & Lazarus, LLP 900 Circle 75 Parkway, Suite 850 Atlanta, GA 30339-3084 gbass@scruddebass.com rgoldberg@scruddebass.com <i>Counsel for MUY Pizza Southeast, LLC</i></p> <p>Russell B. Davis Kevin W. Burkhart Downey & Cleveland, LLP 288 Washington Avenue Marietta, GA 30060-1979 davis@downeycleveland.com <i>Counsel for Avery Hooker</i></p> <p>April Rich Law Office of McLaughlin & Ream PO Box 7217 London, KY 40742 April.rich@libertymutual.com <i>Counsel for Safeco Insurance Company of Illinois</i></p>
<p>Hoard v. AAY786, Inc., et al. STSV2021002159</p>	<p>Henry County State Court Judge Chaunddra D. Lewis</p>	<p>Joshua C. Canton Conroy Simberg 126 North Broad Street Thomasville, GA 31792 jcanton@conroysimberg.com eservicetal@conroysimberg.com <i>Counsel for Defendants AAY786 d/b/a Edible Arrangements & Christina Jason Westphall</i></p>
<p>Jorde v. Cherokee Insurance Company, et al. 16-C-03489-S6</p>	<p>Gwinnett County State Court Judge Veronica Cope</p>	<p>Bruce Taylor Jennifer E. Parrott Drew Eckl & Farnham, LLP 303 Peachtree Street, NE Suite 3500 Atlanta, GA 30308 btaylor@deflaw.com jparrott@deflaw.com <i>Counsel for Cherokee Insurance Company, JNJ Express, Inc., & Michael D. Freeman</i></p> <p>Jackson A. Dial</p>

		<p>Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC 3344 Peachtree Road NE, Suite 2400 Atlanta, GA 30326 jdial@wwhgd.com <i>Counsel for JNJ Express, Inc., & Michael D. Freeman</i></p> <p>Brian F. Williams Waldon Adelman Castilla Hiestand & Prout 900 Circle 75 Parkway, Suite 1040 Atlanta, Georgia 30339 bwilliams@wachp.com <i>Counsel for Egbe "Faith" Momodu</i></p> <p>C. Sutton Connelly Cook & Connelly P.O. Box 370 Summerville, Georgia 30747 sconnelly@cookconnelly.com <i>Counsel for Natalie Jorde</i></p> <p>Charles A. Wiley, Jr. Wiley & Associates LLC 160 Clairemont Avenue, Suite 200 Decatur, GA 30030 cwiley@wileylaw.com <i>Counsel for Natalie Jorde</i></p> <p>David W. Wallace Law Office Of Nancy W. Phillips 3200 Windy Hill Road SE, Suite 1525 E Atlanta, GA 30339-5640 david.wallace@allstate.com <i>Counsel for Allstate Fire and Casualty Insurance</i></p> <p>R. Christopher Harrison Downey & Cleveland, LLP 288 Washington Avenue Marietta, Georgia 30060 Harrison@downeycleveland.com <i>Counsel for Rural Mutual Insurance</i></p>
Progressive Mountain Insurance Company, et	Forsyth County Superior Court Philip C. Smith	<p>Samuel H. Sabulis Margaret L. Manns Lueder Larkin & Hunter, LLC</p>

<p>al. v. East Coast Dispatch, LLC, et al. 18CV-0396-3</p>	<p>3535 Piedmont Road Building 14, Suite 205 Atlanta, GA 30305 ssabulis@luederlaw.com mmannns@luederlaw.com <i>Counsel for Progressive Mountain Insurance</i></p> <p>Fred M. Valz Clinton F. Fletcher Mallory D. Ball Copeland Stair Kingma & Lovell, LLP P.O. Box 56887 Atlanta, GA 30343-0887 fvalz@cskl.law cfletcher@cskl.law mball@cskl.law <i>Counsel for East Coast Dispatch, LLC and Reginald Davis</i></p> <p>Matthew P. Stone Shawn N. Kalfus Dustin S. Sharpes Stone Kalfus LLP 1360 Peachtree Street NE, Suite 1250 Atlanta, GA 30309 Matt.Stone@StoneKalfus.com shawn.kalfus@stonekalfus.com dustin.sharpes@stonekalfus.com <i>Counsel for Graham Hauling, Inc.</i></p> <p>Mark C. Harper Mayer & Harper, LLP 50 Hurt Plaza SE Suite 1640 Atlanta, Georgia 30303 mharper@mayerharper.com <i>Counsel for Graham Hauling, Inc.</i></p> <p>Kindu A. Walker Litchfield Cavo, LLP 1300 Parkwood Circle, Suite 170 Atlanta, GA 30339 walker@litchfieldcavo.com <i>Counsel for Prime Insurance Company</i></p> <p>Melicent B. Thompson</p>
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		<p>Gfeller Laurie 977 Farmington Ave. Suite 200 West Hartford, CT 06107 thompson@litchfieldcavo.com <i>Counsel for Prime Insurance Company</i></p> <p>Michael T. Rafi Arthur R. York Rafi Law Firm 1776 Peachtree St. N.W., Suite 423S Atlanta, GA 30309 arthur@rafilawfirm.com mike@rafilawfirm.com <i>Counsel for Joseph N. Toal and Diane Toal</i></p> <p>William R. Johnson John L. Skelton, Jr. Angela H. Smith Moore, Ingram, Johnson & Steele, LLP Emerson Overlook 326 Roswell Street Marietta, Georgia 30060 wrj@mijs.com jlskelton@mijs.com ahsmith@mijs.com <i>Counsel for C.W. Matthews Contracting Co., Inc.</i></p> <p>Brendan Thompson J. Gregory Godsey The Godsey Firm, LLC 3985 Steve Reynolds Blvd., Bldg. D Norcross, Georgia 30096 ggodsey@thegodseyfirm.com <i>Counsel for Alfa Insurance</i></p> <p>Joseph P. Menello Jonathan Silverman Wicker Smith O'Hara McCoy & Ford P.A. 3414 Peachtree Road NE, Suite 960 Atlanta, GA 30326 jmenello@wickersmith.com jsilverman@wickersmith.com <i>Counsel for R & O Agency, Inc. d/b/a The Henderson Group</i></p>
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<p>Lindsey v. Home Depot, U.S.A., Inc., et al. 21-C-08523-S7</p>	<p>Gwinnett County State Court Judge Jaletta L. Smith</p>	<p>Damany F. Ransom The Ransom Firm 1075 Peachtree Street NE, Suite 3650 Atlanta, GA 30309 dransom@theransomfirm.com <i>Counsel for Defendant Home Depot U.S.A., Inc.</i></p> <p>Edward C. "Mickey" Bresee Arthur J. Park Mozley Finlayson & Loggins LLP 1050 Crown Pointe Parkway, Suite 1500 Atlanta, GA 30338 mbresee@mflaw.com apark@mflaw.com <i>Counsel for LG Electronics, U.S.A., Inc.</i></p>
<p>Lyman v. ACE American Insurance Company, et al. 22-C-06189-S1</p>	<p>Gwinnett County State Court Judge Emily J. Brantley</p>	<p>Dennis B. Keene John D. Harvey Gregory L. Finch Gary J. McGinty Bouhan Falligant LLP Post Office Box 2139 Savannah, Georgia 31402-2139 dkeene@bouhan.com jdharvey@bouhan.com glfinch@bouhan.com gmcginty@bouhan.com <i>Counsel for Ace American Insurance Company, Damco Distribution Services, Inc. d/b/a Hudd Transportation, Young Trucking Services, LLC, Steffphon Young, and Brian C. Brown</i></p>
<p>Maslankowski v. Bradley 2019V-0038</p>	<p>Fayette County Superior Court Judge W. Fletcher Sams</p>	<p>R. Christopher Harrison Downey & Cleveland, LLP 288 Washington Avenue Marietta, Georgia 30060 Harrison@downeycleveland.com <i>Counsel for Karen Dill Bradley</i></p> <p>Steven J. Kyle Eric A. Ludwig Bovis, Kyle, Burch & Medlin 200 Ashford Center North, Suite 500 Atlanta, GA 30338-2668 kyle@boviskyle.com eludwig@boviskyle.com</p>

		<i>Counsel for Selective Way Insurance</i>
Miller v. Toonigh Shops, LLC, et al. 19-C-01962-S6	Gwinnett County State Court Judge Veronica Cope	Joseph P. Menello Jonathan W. Silverman Wicker Smith O'Hara McCoy & Ford, P.A. 3414 Peachtree Road NE, Suite 960 Atlanta, GA 30326 jmenello@wickersmith.com jsilverman@wickersmith.com <i>Counsel for Defendants Toonigh Shops, LLC & Market Land Company, LLC</i> Robert A. Luskin Robert E. Noble, III Chartwell Law 5051 Peachtree Corners Circle, Unit 200 Norcross, GA 30092 rluskin@chartwelllaw.com rnoble@chartwelllaw.com <i>Counsel for Defendant the Kroger Co.</i>
Mohammad v. Cavender, et al. SUCV2022001552	Walton County Superior Court Judge Jeffrey L. Foster	Tyler Cavender 751 Thompson Ridge Court, # T Monroe, GA 30655 Paul L. Rosenthal Jared M. Campbell, III Preston & Malcom, P.C. 110 Court Street P.O. Box 984 Monroe, GA 30655 JMC@prestonmalcom.com <i>Counsel for APF Roofing & Reno's, LLC</i> Destiny Wilkinson Law Offices of McLaughlin & Ream P.O. Box 7217 London, KY 40742 770-612-2710 Destiny.Wilkinson@LibertyMutual.com McLaughlinelectronicmail@libertymutual.com <i>Counsel for LM General Insurance Company</i>
Mohammad v. Ripley 23A00407	DeKalb County State Court Judge Kimberly A. Alexander	Enrique Ripley 605 Downey Street, Apt. I Radford, VA 24141 LM General Insurance Company

		<p>C/O Corporation Service Company, Registered Agent 2 Sun Court, Suite 400 Peachtree Corners, GA 30092</p> <p>Government Employees Insurance Company C/O CT Corporation, Registered Agent 289 S. Culver Street Lawrenceville, GA 30046</p>
<p>Nava De Jesus, et al. v. Amerisure Insurance Company, et al. 20-C-05909-S1</p>	<p>Gwinnett County State Court Judge Emily J. Brantley</p>	<p>Andrew Lampros Brittany A. Barto HALL & LAMPROS, LLP 400 Galleria Pkwy Suite 1150 Atlanta, GA 30339 alampros@hallandlampros.com brittany@hallandlampros.com <i>Counsel for Plaintiff Irma Garcia-Cambero</i></p> <p>Drew C. Timmons Timothy J. Peacock Swift, Currie, McGhee & Hiers, LLP 1420 Peachtree Street NE, Suite 800 Atlanta, GA 30309-3231 Drew.timmons@swiftcurrie.com Tim.peacock@swiftcurrie.com <i>Counsel for Amerisure Insurance Company, Steelmart, Inc., and John Selven Tolliver</i></p> <p>Wayne S. Melnick Daniel S. Wolcott Freeman Mathis & Gary LLP 100 Galleria Parkway, Suite 1600 Atlanta, GA 30339 wmelnick@fmglaw.com daniel.wolcott@fmglaw.com <i>Counsel for Nationwide Agribusiness Insurance Company, Piggly Wiggly Alabama Distributing Company, Inc., & Joshua Phillip Hatcher</i></p>
<p>Nelson v. Chavez- Romero 20-C-06040-S4</p>	<p>Gwinnett County State Court Judge Ronda S. Colvin</p>	<p>Brian C. McCarthy Hayley E. Wilson Waldon Adelman Castilla Hiestand & Prout 900 Circle 75 Parkway Suite 1040 Atlanta, GA 30339</p>

		bmccarthy@wachp.com hwilson@wachp.com <i>Counsel for Jose Chavez-Romero</i>
O'Kelly v. Canal Insurance Company, et al. 22-C-07379-S3	Gwinnett County State Court Judge Carla E. Brown	W. Shawn Bingham Adam P. Reichel Freeman Mathis & Gary, LLP 100 Galleria Parkway, Suite 1600 Atlanta, GA 30339 Sbingham@fmglaw.com Adam.reichel@fmglaw.com <i>Counsel for Canal Insurance Company</i> Elizabeth Bentley SWIFT, CURRIE, McGHEE & HIERS, LLP 1420 Peachtree Street, N.E. Suite 800 Atlanta, GA 30309 Beth.Bentley@swiftcurrie.com <i>Counsel for Time View, LLC</i> Jonathan Harris 2607 Dawn Drive Decatur, GA 30032 Cameil L. Reddick The Law Office of Paul Garrison 10945 State Bridge Road, Suite 401-287 Alpharetta, GA 30022 CReddick@kemper.com Atlantalegal@kemper.com <i>Counsel for Velimir Jungcic</i> Amanda S. Newquist Worsham, Corsi, Dobur & Berss P.O. Box 674027 Marietta, GA 30006 Amanda_S_Newquist@progressive.com GAFile@Progressive.com <i>Counsel for Progressive Premier Insurance Company of Illinois</i>
Packer v. DeKalb County, Georgia, et al. 22A00177	DeKalb County State Court Judge Mike Jacobs	Adam C. Joffe Paul J. Spann Goodman McGuffey LLP 3340 Peachtree Road, NE, Suite 2100 Atlanta, GA 30326-1084 ajoffe@GM-LLP.com

		<p>pspann@GM-LLP.com <i>Counsel for Defendants DeKalb County and Melody Maddox, Sheriff of DeKalb County</i></p> <p>R. Christopher Harrison Downey & Cleveland, LLP 288 Washington Avenue Marietta, Georgia 30060 Harrison@downeycleveland.com</p> <p>Parks K. Stone Devin P. Arnold Wilson Elser Moskowitz Edelman & Dicker LLP One Atlanta Plaza 950 East Paces Ferry Road, Suite 2850 Atlanta, GA 30326 parks.stone@wilsonelser.com devin.arnold@wilsonelser.com</p> <p><i>Counsel for Oshay A. Page</i></p> <p>Tyler Bryant Walker Sarah R. Salek Fields Howell LLP 665 8th Street NW Atlanta, GA 30318 twalker@fieldshowell.com ssalek@fieldshowell.com <i>Counsel for Non-Party American Southern Insurance</i></p>
American Southern Insurance Company v. Packer, et al. 22-A-03744-5	Gwinnett County Superior Court Judge Karen E. Beyers	<p>Tyler Bryant Walker Sarah R. Salek Fields Howell LLP 665 8th Street NW Atlanta, GA 30318 twalker@fieldshowell.com ssalek@fieldshowell.com <i>Counsel for Plaintiff American Southern Insurance Company</i></p> <p>Oshay A. Page 3230 Highpoint Court Snellville, GA 30078</p>
Progressive Mountain Insurance Company v.	Gwinnett County Superior Court	<p>Fred M. Valz, III Jena G. Emory</p>

<p>DeKalb County, Georgia, et al. 22-A-03569-5</p>	<p>Judge Karen E. Beyers</p>	<p>Copeland Stair Valz & Lovell LLP 191 Peachtree Street NE, Suite 3600 Atlanta, GA 30303 fvalz@csvg.law jemory@csvg.law <i>Counsel for Petitioner Progressive Mountain Insurance Company</i></p> <p>Omari J. Crawford, Assistant County Attorney DeKalb County Law Department 1300 Commerce Drive, 5th Floor Decatur, GA 30030 ojcrawford@dekalbcountyga.gov <i>Counsel for DeKalb County, Georgia and Sheriff Melody Maddox</i></p> <p>Oshay A. Page 3515 Prairie Drive Snellville, GA 30039</p>
<p>Pentecost v. Children's Healthcare of Atlanta, et al. 19-C-01057-S2</p>	<p>Gwinnett County State Court Judge Shawn F. Bratton</p>	<p>R. Page Powell Julye Johns Bailey Vicki McGinty Huff Powell & Bailey LLC 999 Peachtree Street NE, Suite 950 Atlanta, GA 30309 jbailey@huffpowellbailey.com vmcginty@huffpowellbailey.com <i>Counsel for CHOA Defendants</i></p> <p>Robert P. Monyak Abby Grozine Peters & Monyak, LLP Blackstone Center 1777 Northeast Expressway NE, Suite 100 Atlanta, GA 30329 agrozine@petersmonyak.com rmonyak@petersmonyak.com <i>Counsel for PEMA Defendants</i></p>
<p>Powell v. Zubillaga, et al. 18 C-08306-S2</p>	<p>Gwinnett County State Court Judge Shawn F. Bratton</p>	<p>Thomas E. Brennan Richard W. Brown Fain, Major & Brennan, P.C. 100 Glenridge Point Parkway Suite 500 Atlanta, GA 30342 tbrennan@fainmajor.com</p>

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<p>Goodman v. Jenkins, et al. 2022CV00273</p>	<p>Clayton County State Court Judge Linda S. Cowen</p>	<p>Kevin Reardon Andrew W. Panella Waldon Adelman Castilla Hiestand & Prout 900 Circle 75 Parkway, Suite 1040 Atlanta, GA 30339 kreardon@wachp.com apanella@wachp.com <i>Counsel for Defendant Kathy Ann Jenkins</i></p> <p>Kimberly Sheridan Michael Becker Vernis & Bowling of Atlanta, LLC 30 Perimeter Park Drive, Suite 200 Atlanta, GA 30341 404-846-2001 404-846-2002 fax ksheridan@georgia-law.com mbecker@georgia-law.com <i>Counsel for Owners Insurance Company</i></p> <p>Nikolai Makarenko, Jr. Douglas A. MacKimm Groth, Makarenko, Kaiser, & Eidex, LLC One Sugarloaf Centre 1960 Satellite Boulevard, Suite 2000</p>

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<p>Price v. Employers Mutual Casualty Company, et al. 16-CV-65969</p>	<p>Gordon County Superior Court Judge Rosemary Greene</p>	<p>Scott J. Forster The Law Offices of Scott J. Forster 417 North Wall Street Calhoun, GA 30703 scofors@aol.com <i>Co-Counsel for Plaintiff</i></p> <p>Andrew Lampros HALL & LAMPROS, LLP 400 Galleria Pkwy Suite 1150 Atlanta, GA 30339 alampros@hallandlampros.com <i>Co-Counsel for Plaintiff</i></p> <p>Philip W. Savrin Jessica C. Samford Mallory D. Ball M. Cole Walker Freeman Mathis & Gary LLP 100 Galleria Parkway, Suite 1600 Atlanta, GA 30339-5948 psavrin@fmglaw.com mball@fmglaw.com jsamford@fmglaw.com Cole.walker@fmglaw.com <i>Counsel for Employers Mutual Casualty Company</i></p> <p>Amanda Matthews Jessica A. Seares Nall & Miller, LLP Peachtree Center, North Tower 235 Peachtree Center NE, Suite 1500 Atlanta, GA 30303 amathews@nallmiller.com jseares@nallmiller.com</p> <p>Matthew D. Friedlander Webb Daniel Friedlander LLP 1201 W. Peachtree St NW, 23rd Floor</p>

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<p>Robison v. K2D, Inc., et al. 21-C-02932-S5</p>	<p>Gwinnett County State Court Judge Erica K. Dove</p>	<p>Joe P. Reynolds Kilpatrick Townsend & Stockton LLP 1100 Peachtree Street, NE, Suite 2800 Atlanta, Georgia 30309 jreynolds@kilpatricktownsend.com</p> <p>Sarah L. Brew Rachael D. Spiegel Faegre Drinker Biddle & Reath LLP 90 South 7th Street, Suite 2200 Minneapolis, Minnesota 55402 sarah.brew@faegredrinker.com rachael.spiegel@faegredrinker.com</p> <p><i>Counsel for U.S. Foods, Inc.</i></p> <p>Derek A. Mendicino Davis S. Cousins Mendicino Cousins LLLP 1902 Old Covington Highway, S.W. Conyers, Georgia 30012-3920 dam@mclllp.law dcousins@mclllp.law <i>Counsel for Grant Park Packing, Inc.</i></p> <p>Kimberly D. Stevens Willie C. Ellis Hawkins Parnell & Young, LLP 303 Peachtree Street NE, Suite 4000 Atlanta, GA 30308-3243 kstevens@hpylaw.com wellis@hpylaw.com <i>Counsel for North Star Imports, LLC d/b/a North Star Imports & Sales LLC and North Star Imports & Sales</i></p>

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<p>Aguilar v. Old Republic Insurance Company, et al. 19-C-04087-S7</p>	<p>Gwinnett County State Court Judge Jaletta L. Smith</p>	<p>Fred M. Valz, III Broderick W. Harrell Copeland, Stair, Kingma & Lovell, LLP P.O. Box 56887 Atlanta, GA 30343-0887 fvalz@cskl.law bharrell@cskl.law <i>Counsel for TNS Logistics, Inc., Bogdan Sharanevych and Mohabe McCoy</i></p> <p>Michael D. Hostetter Edward M. Culver Nall & Miller, LLP 235 Peachtree Street, NE Suite 1500 – North Tower Atlanta, Georgia 30303 MHostetter@nallmiller.com eculver@nallmiller.com <i>Counsel for Black Star Logistics, Inc. and Clarence Forney</i></p> <p>Grant B. Smith M. Angela Cooper Dennis, Corry, Smith & Dixon, LLP 900 Circle 75 Parkway, Suite 1400 Atlanta, GA 30339 gbs@dcplaw.com MCooper@dcplaw.com <i>Counsel for Old Republic Insurance Company, Landstar Inway, Inc., Landstar Ranger, Inc., Landstar System, Inc. and Landstar Transportation Logistics, Inc.</i></p> <p>James S. Strawinski Strawinski & Stout, P.C. 3340 Peachtree Road, NE Suite 1445, Tower Place 100 Atlanta, GA 30326 jss@strawlaw.com</p>

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Hernandez v. McCoy 20-C-03804-S7	Gwinnett County State Court Judge Jaletta L. Smith	<p>Richard T. Taylor Raye Ann Viers Taylor & Viers, P.C. 2620 Buford Highway Atlanta, Georgia 30324 rtaylor@taylorandviers.com aviers@taylorandviers.com</p> <p>Ruben J. Cruz Cruz & Associates, P.C. 2620 Buford Highway Atlanta, Georgia 30324 ruben@cruzfirm.com</p> <p>Counsel for Plaintiff</p> <p>Fred M. Valz, III Broderick W. Harrell Copeland, Stair, Kingma & Lovell, LLP P.O. Box 56887 Atlanta, GA 30343-0887 fvalz@cskl.law bharrell@cskl.law <i>Counsel for TNS Logistics, Inc., Bogdan Sharanevych and Mohabe McCoy</i></p> <p>Michael D. Hostetter Edward M. Culver Nall & Miller, LLP 235 Peachtree Street, NE Suite 1500 – North Tower Atlanta, Georgia 30303 MHostetter@nallmiller.com eculver@nallmiller.com</p>

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Schooler v. Haynes 21-A-589	Cobb County State Court Judge Eric A. Brewton	<p>H. Durance Lowendick Lowendick Law Office 3820 Windermere Parkway, Suite 601 Cumming, GA 30041 durance@HDL-LAW.com <i>Counsel for Defendant Marcus Johnson Haynes</i></p> <p>Robyn Roth FAIN, MAJOR & BRENNAN, P.C. 5605 Glenridge Drive NE, Suite 900 Atlanta, Georgia 30342 rroth@fainmajor.com <i>Counsel for Garrison Property & Casualty Insurance Company and United Services Automobile Association</i></p>
Shamblin v. Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints, et al. 16-C-01576-S4 &	Gwinnett County State Court Judge Ronda S. Colvin	<p>Scott McMickle Michael Johnson McMickle Kurey & Branch, LLP 217 Roswell Street, Suite 200 Alpharetta, GA 30009 swm@mkblawfirm.com mjohnson@mkblawfirm.com</p> <p>Travis J. Meyer Waldon Adelman Castilla Hiestand & Prout 900 Circle 75 Parkway, Suite 1040 Atlanta, GA 30339 tmeyer@wachp.com</p>
Shamblin v. Corporation of the President of the Church	Gwinnett County State Court	<p>Scott McMickle McMickle Kurey & Branch LLP 200 South Main Street</p>

of Jesus Christ of Latter Day Saints, et al. 17-C-04167-S4	Judge Ronda S. Colvin	Alpharetta, GA 30009 swm@mkblawfirm.com mjohnson@mkblawfirm.com
Smith v. Sheriff of Walton County, Georgia, et al. 2018-CV-1207-5	Walton County Superior Court Judge Melodie Snell Conner	Seth Eisenberg The Eisenberg Firm 1028 Edgewood Avenue NE Atlanta, GA 30307 Seth@eisenbergfirm.com <i>Counsel for Plaintiff</i> Timothy Joseph Buckley III Taylor W. Hensel Buckley Christopher, P.C. 2970 Clairmont Road, N.E., Suite 650 Atlanta, GA 30329 tbuckley@bchlawpc.com thensel@bchlawpc.com <i>Counsel for Sheriff of Walton County, Joe Chapman, Walton County, Georgia, Steven Chandler and John Allman</i> Dana Maine Matthew S. Grattan FREEMAN MATHIS & GARY, LLP 100 Galleria Parkway, Suite 1600 Atlanta, Georgia 30339-5948 dmaine@fmglaw.com mgrattan@fmglaw.com <i>Counsel for City of Monroe, Georgia</i>
Smith v. Herrera 19CV8282-7	DeKalb County Superior Court Judge Latisha Dear Jackson	Andrew Lampros Hall & Lampros, LLP 400 Galleria Pkwy Suite 1150 Atlanta, GA 30339 alampros@hallandlampros.com <i>Counsel for Micah Smith</i> Hilliard V. Castilla Matthew J. Hurst Waldon Adelman Castilla Hiestand & Prout 900 Circle 75 Parkway, Suite 1040 Atlanta, GA 30339 hcastilla@wachp.com mhurst@wachp.com <i>Counsel for Ann Herrera</i>

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Smith v. Clark, et al. 19CV8283-7	DeKalb County Superior Court Judge Latisha Dear Jackson	<p>Andrew Lampros Hall & Lampros, LLP 400 Galleria Pkwy Suite 1150 Atlanta, GA 30339 alampros@hallandlampros.com <i>Counsel for Micah Smith</i></p>

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Soeun v. Woodruff 19EV000004	Fulton County State Court Judge Patsy Porter	Pamela Newsom Lee Christopher S. Antoci Swift, Currie, McGhee & Hiers, LLP 1420 Peachtree Street NE, Suite 800 Atlanta, GA 30309-3231 Pamela.lee@swiftcurrie.com Christopher.antoci@swiftcurrie.com <i>Counsel for Defendant Peggy Woodruff</i>
Staton v. Lyft, et al. 20-C-01641-S4	Gwinnett County State Court Judge Ronda S. Colvin	Stephen J. Cohen Copeland, Stair, Kingma & Lovell, LLP P.O. Box 56887 Atlanta, GA 30343-0887 sjcohen@cskl.law <i>Counsel for Lyft, Inc.</i> Thomas E. Brennan Fain, Major & Brennan, P.C. 505 Glenridge Drive NE, Suite 900 Atlanta, Georgia 30342 tbrennan@fainmajor.com <i>Counsel for the Hertz Defendants and Lameeka Burden</i> Walter J. Bibbins, Jr. Hall Booth Smith, P.C. 191 Peachtree Street, NE, Suite 2900 Atlanta, Georgia 30303 wbibbins@hallboothsmith.com <i>Counsel for 767 Auto Leasing, LLC</i>
Stephens v. Great West Casualty Company, et al. 21-C-02434-S1	Gwinnett County State Court Judge Emily J. Brantley	Michael L. Werner Nola D. Jackson Trevor E. Brice Werner Law, LLC 2860 Piedmont Road Atlanta, GA 30305 mike@wernerlaw.com nola@wernerlaw.com trevor@wernerlaw.com ShaMiracle Rankin Keenan R.S. Nix Christopher J. Graddock Morgan & Morgan Atlanta PLLC

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Timpson v. Sentry Select Insurance Company, et al. 23-C-00759-S5	Gwinnett County State Court Judge Erica K. Dove	<p>Sentry Select Insurance Company C/O C T Corporation System, Registered Agent 289 South Culver Street Lawrenceville, GA 30046-4805</p> <p>Timothy B. Estes d/b/a E & E Transport Timothy B. Estes 595 Cricklewood Drive Lexington, KY 40505</p> <p>State Farm Mutual Automobile Insurance Company C/O Corporation Service Company, Registered Agent 2 Sun Court, Suite 400 Peachtree Corners, GA 30092</p>
Carson v. Felder, et al. STCV21-01291	Chatham County State Court STCV21-01291	<p>Malcolm Mackenzie, III Weiner, Shearouse, Weitz, Greenberg & Shawe, LLP P.O. Box 10105 Savannah, GA 31412 mmackenzie@wswwgs.com</p>

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<p>Watler-Hayes v. Protective Insurance Company, et al. 23-CV-73014</p>	<p>Gordon County Superior Court Unassigned</p>	
<p>Wilkerson v. Dewberry, et al. 21A02083</p>	<p>DeKalb County State Court Judge Mike Jacobs</p>	<p>Catalina Alvarez Law Office of Andrews and Manganiello 100 Crescent Centre Parkway, Suite 950 Tucker, Georgia 30084 calvarez@geico.com <i>Counsel for Defendants Shawniqua Yancey-Hardwick, Drelin Dewberry & Deseree Archer</i></p> <p>Darryl Haynes Lynn Leonard & Associates 2400 Century Parkway, Suite 200 Atlanta, GA 30345 Darryl.Haynes@statefarm.com <i>Counsel for State Farm Mutual Automobile Insurance Company</i></p>
<p>Wright v. Home Depot, U.S.A. Inc., et al. 18-A-1302</p>	<p>Cobb County State Court Judge Allison Barnes Salter</p>	<p>Walter J. Bibbins, Jr. Hall Booth Smith, P.C. 191 Peachtree Street, NE, Suite 2900 Atlanta, Georgia 30303 wbibbins@hallboothsmith.com <i>Counsel for Home Depot U.S.A., Inc.</i></p> <p>Gene A. Major James W. Hardee David Olson Fain, Major & Brennan, P.C. 100 Glenridge Point Parkway, Suite 500 Atlanta, Georgia 30342 dolson@fainmajor.com gmajor@fainmajor.com jhardee@fainmajor.com <i>Counsel for Weber-Stephen Products LLC</i></p>

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CLERK OF STATE COURT
GWINNETT COUNTY, GEORGIA
23-C-00759-S5
3/2/2023 3:55 PM
TIANA P. GARNER, CLERK

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

BRANDY PATRICE TIMPSON,)	
)	
Plaintiff,)	
)	
v.)	
)	
SENTRY SELECT INSURANCE)	CIVIL ACTION FILE
COMPANY, a foreign motor)	NO. 23-C-00759-S5
carrier insurer,)	
)	
TIMOTHY B. ESTES D/B/A)	
E&E TRANSPORT, a foreign)	
motor carrier for hire,)	
)	
TIMOTHY B. ESTES, individually and)	
as an Agent and Employee of)	
E&E TRANSPORT,)	
)	
&)	
)	
JOHN OR JANE DOE INDIVIDUALS)	
& ENTITIES (1-3),)	
)	
Defendants.)	

ANSWER AND DEFENSES OF
DEFENDANTS SENTRY SELECT INSURANCE COMPANY
AND TIMOTHY B. ESTES

COME NOW Defendants Sentry Select Insurance Company ("Sentry") and Timothy B. Estes ("Estes"), redundantly named as Timothy B. Estes d/b/a E & E Transport and Timothy B. Estes, individually and as an agent and employee of E & E Transport (collectively "Defendants"), by and through counsel, and serve their answer and defenses to Plaintiff's Complaint for Damages ("Complaint"), showing the court as follows:

FIRST DEFENSE

All or part of Plaintiff's Complaint fails to state a cause of action against these Defendants upon which relief can be granted and these Defendants therefore move to dismiss said action.

SECOND DEFENSE

Plaintiff, by the exercise of ordinary care, could have avoided being injured, and, on account thereof, Plaintiff is not entitled to recover any sum of these Defendants.

THIRD DEFENSE

The failure to specifically plead special damages bars their recovery. Federal Rule of Civil Procedure 9(g).

FOURTH DEFENSE

To the extent as may be shown by the evidence through discovery, Defendants assert the defenses of assumption of the risk, contributory/comparative negligence, failure of Plaintiff to exercise ordinary care for Plaintiff's own safety, failure to avoid consequences, failure to mitigate damages, accord and satisfaction, arbitration and award, discharge in bankruptcy, duress, estoppel, failure of consideration, fraud, illegality, injury by fellow servant, laches, last clear chance, license, payment, release, res judicata, statute of frauds, statute of limitations, sudden emergency, and waiver.

FIFTH DEFENSE

To avoid waiving affirmative defenses which may subsequently develop, and in further answer, Defendants state that Plaintiff's Complaint may be barred by the affirmative defenses stated in Federal Rule of Civil Procedure 8(c), or any one of them.

SIXTH DEFENSE

Plaintiff has failed to state facts sufficient to entitle her to an award of compensatory damages or attorney's fees and expenses from these Defendants.

SEVENTH DEFENSE

Plaintiff's claim for attorneys' fees and expenses of litigation, to the extent that it arises under O.C.G.A. § 13-6-11, is barred because these Defendants did not act in bad faith in the underlying transaction giving rise to this suit.

EIGHTH DEFENSE

Plaintiff's claim for attorney's fees and expenses of litigation, to the extent that it arises under O.C.G.A. § 13-6-11, is barred by the existence of a bona fide dispute as to liability and/or damages.

NINTH DEFENSE

Further answering the numbered paragraphs of Plaintiff's Complaint, Defendants answer as follows:

PARTIES, JURISDICTION, AND VENUE

1.

Defendants do not possess sufficient information to form a belief as to the truth of the allegations contained in Paragraph 1 of Plaintiff's Complaint and, therefore, in an abundance of caution, all allegations in said paragraph are denied.

2.

In response to the allegations contained in Paragraph 2 of Plaintiff's Complaint, Defendants admit Defendant Sentry is a foreign motor carrier insurer and its registered agent is C T Corporation System, 289 South Culver Street, Lawrenceville, GA 30046. The remaining allegations contained in Paragraph 2 of Plaintiff's Complaint contain legal conclusions to which no response is required from Defendants. To the extent a response is required, Defendants deny the remaining allegations contained in said paragraph.

3.

Defendants deny the allegations contained in Paragraph 3 of Plaintiff's Complaint.

4.

In response to the allegations contained in Paragraph 4 of Plaintiff's Complaint, Defendants admit Defendant Estes, d/b/a/ E & E Transport, is a foreign motor carrier for hire and its U.S. DOT No. is 0601911. The remaining allegations contained in Paragraph 4 of Plaintiff's Complaint contain legal conclusions to which no response is required from Defendants. To the extent a response is required, Defendants deny the remaining allegations contained in said paragraph.

5.

In response to the allegations contained in Paragraph 5 of Plaintiff's Complaint, Defendants admit Defendant Estes' residence and domicile is 595 Cricklewood Drive, Lexington, KY 40505. The remaining allegations contained in Paragraph 5 of Plaintiff's Complaint contain legal conclusions to which no response is required from Defendants. To the extent a response is required, Defendants deny the remaining allegations contained in said paragraph as pled.

6.

These Defendants deny the allegations contained in Paragraph 6 of Plaintiff's Complaint as pled.

7.

The statement contained in Paragraph 7 of Plaintiff's Complaint does not put forth allegations for Defendants to respond to. To the extent a response is required, Defendants deny the remaining allegations contained in said paragraph.

8.

The statement contained in Paragraph 8 of Plaintiff's Complaint does not put forth

allegations for Defendants to respond to. To the extent a response is required, Defendants deny the remaining allegations contained in said paragraph.

FACTUAL ALLEGATIONS

9.

These Defendants admit the allegations contained in Paragraph 9 of Plaintiff's Complaint.

10.

These Defendants admit the allegations contained in Paragraph 10 of Plaintiff's Complaint.

11.

These Defendants admit the allegations contained in Paragraph 11 of Plaintiff's Complaint.

12.

Defendants do not possess sufficient information to form a belief as to the truth of the allegations contained in Paragraph 12 of Plaintiff's Complaint and, therefore, in an abundance of caution, all allegations in said paragraph are denied.

13.

Defendants do not possess sufficient information to form a belief as to the truth of the allegations contained in Paragraph 13 of Plaintiff's Complaint and, therefore, in an abundance of caution, all allegations in said paragraph are denied.

14.

Defendants do not possess sufficient information to form a belief as to the truth of the allegations contained in Paragraph 14 of Plaintiff's Complaint and, therefore, in an abundance of caution, all allegations in said paragraph are denied.

15.

Defendants do not possess sufficient information to form a belief as to the truth of the

allegations contained in Paragraph 15 of Plaintiff's Complaint and, therefore, in an abundance of caution, all allegations in said paragraph are denied.

16.

Defendants deny the allegations contained in Paragraph 16 as pled.

17.

These Defendants deny the allegations contained in Paragraph 17 of Plaintiff's Complaint.

18.

Defendants do not possess sufficient information to form a belief as to the truth of the allegations contained in Paragraph 18 of Plaintiff's Complaint and, therefore, in an abundance of caution, all allegations in said paragraph are denied.

19.

These Defendants deny the allegations contained in Paragraph 19 of Plaintiff's Complaint.

20.

These Defendants deny the allegations contained in Paragraph 20 of Plaintiff's Complaint.

21.

These Defendants deny the allegations contained in Paragraph 21 of Plaintiff's Complaint.

22.

These Defendants deny the allegations contained in Paragraph 22 of Plaintiff's Complaint.

23.

In response to the "WHEREFORE" paragraph immediately following Paragraph 22 of the complaint, including subparagraphs 1) through 6) thereof, Defendants deny that they are liable to Plaintiff and denies that Plaintiff is entitled to any relief from these Defendants under any theory at law or in equity.

24.

Each and every allegation contained in Plaintiff's Complaint not specifically addressed above is hereby expressly denied.

WHEREFORE, Defendants having fully answered the Plaintiff's Complaint, prays that they hence be discharged of the Plaintiff's Complaint on all the aforesaid defenses, and that judgment be entered in favor of these Defendants and against the Plaintiff, with all costs cast upon the Plaintiff

This 2nd day of March, 2023.

FREEMAN MATHIS & GARY, LLP

/s/ Marc H. Bardack

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the within and foregoing **ANSWER AND DEFENSES OF DEFENDANTS SENTRY SELECT INSURANCE COMPANY, TIMOTHY B. ESTES d/b/a E & E TRANSPORT, AND TIMOTHY B. ESTES, INDIVIDUALLY AND AS AN AGENT AND EMPLOYEE OF E & E TRANSPORT** via Odyssey E-File system which will send electronic notification of such filing to counsel of record as follows:

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This 2nd day of March, 2023.

FREEMAN MATHIS & GARY, LLP

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